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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

29° VICTORIÆ, 1866.

VOL. CLXXXI.

COMPRISING THE PERIOD FROM

THE FIRST DAY OF FEBRUARY 1866,

TO

THE NINTH DAY OF MARCH 1866.

First Volume of the Session.

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Princess Helena and Prince Alfred—Messages from Her Majesty *considered* in Committee; and Resolutions *agreed to* thereon 902

Monument to Viscount Palmerston—Monument to Viscount Palmerston *considered* in Committee; and an humble Address *agreed to* thereon .. 910

Jamaica Government Bill [Bill 17]—

Bill read a second time, after debate, and *committed* for *To-morrow* .. 918

Cattle Plague Bill [Bills 7, 24, 32]—

Bill *considered* in Committee (*on re-commitment*) 928

And after some time spent therein, Bill *reported;* as amended, to be considered *To-morrow.* [Bill 32.]

Vaccination Bill—*Ordered* (*Mr. Bruce, Mr. Baring*); *presented,* and read the first time. [Bill 33] 955

LORDS, FRIDAY, FEBRUARY 23.

Cattle Plague Bill—Question, The Earl of Derby; Answer, Earl Granville 956

Art Bill (No. 25)—

Amendment *reported:*—Further Amendments made:—Bill to be read 3^a on *Monday* next. (No. 26) 956

Illegal Removal of Cattle—Questions, Lord Wharncliffe, The Earl of Airlie; Answer, Earl Granville 957

COMMONS, FRIDAY, FEBRUARY 23.

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Public Schools — Question, Mr. Grant Duff; Answer, The Chancellor of the Exchequer 959

United States and Cuba—Question, Mr. Baxter; Answer, The Chancellor of the Exchequer 959

Brigandage in Greece — Question, Lord Augustus Hervey; Answer, Mr. Layard 960

Disease among Swine—Question, Sir John Walsh; Answer, Mr. H. A Bruce 960

Wages of Letter Carriers—Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer 961

Mines—Question, Mr. Clive; Answer, Sir George Grey 962

Duty on Coffee — Question, Mr. Marsh; Answer, The Chancellor of the Exchequer 963

Weights and Measures—Question, Mr. Dawson; Answer, Mr. Childers .. 963

Cattle Statistics—Question, Mr. Read; Answer, Mr. Milner Gibson .. 963

Ireland—Queen's University and Queen's Colleges—Question, Sir Robert Peel; Answer, The Chancellor of the Exchequer 964

Cattle Plague Bill—Question, Mr. Hunt; Answer, Sir George Grey .. 968

Railway Signals—Question, Sir William Gallwey; Answer, Mr. Milner Gibson 969

Tame Valley Viaduct—Question, Sir R. Peel; Answer, Mr. Milner Gibson 969

Deep Sea Oyster Fisheries—Question, Mr. Stephen Cave, 970; Answer, Mr. Milner Gibson, 1023:—discussion thereon

Postage Stamp for Newspapers—Question, Mr. Darby Griffith, 979; Answer, The Chancellor of the Exchequer 1036

Law of Rating—Question, Mr. Gathorne Hardy; Answer, Mr. Villiers:—discussion thereon 980

Inadequacy of our Neutrality Law—Observations, Mr. Labouchere; Reply, The Attorney General:—long discussion thereon 994

Railways (Ireland) — Metropolitan Railway Schemes — Question, General Dunne; Answer, Mr. Milner Gibson 1014

Fenianism in America—Question, Mr. Watkin; Answer, The Chancellor of the Exchequer 1027

Registry of Deeds Office (Ireland)—Question, Mr. Dillon; Answer, Mr. Childers 1054

SUPPLY — Marriage Portion of the Princess Helena—Her Majesty's Message [20th February] *referred; considered* in Committee .. 1056
After short debate, Resolution *agreed to:*—£30,000, Marriage Portion of Princess Helena

Princess Helena and Prince Alfred — Messages from Her Majesty — Resolutions [February 22] *reported:*—Resolutions *agreed to.*
Bills *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Sir George Grey*)

Cattle Plague Bill [Bill 32]—
Bill, as amended, *considered* 1056
After short debate, Bill read the third time, and *passed.* [Bill 34.]

Monument to Viscount Palmerston—Resolution [February 22] *reported:*—Resolution *agreed to, Nemine Contradicente* 1059

Cattle Diseases (Ireland) Bill—Resolution in Committee:—Bill *ordered* (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Sir George Grey*); *presented,* and read the first time. [Bill 37] 1059

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Public Companies Bill—*Ordered* (*Mr. Darby Griffith, Mr. Robert Torrens*); *presented,* and read the first time. [Bill 35] 1059

Hop Trade Bill—Resolution in Committee:—Bill *ordered* (*Mr. Huddleston, Sir Brook Bridges, Sir Edward Dering*); *presented,* and read the first time. [Bill 36] .. 1059

Rochdale Vicarage Bill—*Ordered* (*Mr. Walpole, Mr. Bouverie*); *presented,* and read the first time. [Bill 38] 1059

Merchant Shipping Act (1854) Amendment Bill—Resolution in Committee:—Bill *ordered* (*Mr. Milner Gibson, Lord Clarence Paget*) 1060

LORDS, MONDAY, FEBRUARY 26.

Cattle Plague Bill—

Bill *brought up* from the Commons; read 1ª.—(*The Lord President*) (No. 27) 1060

Roman Catholic Church (Ireland)—Observations—Motion for a Return (*The Viscount Lifford*) 1063

After debate, Motion (by Leave of the House) *withdrawn.*

Street Accidents (Metropolis)—Motion for

"Return of all Cases which have come to the Cognizance of the Metropolitan Police, whereby, since the 1st of January, 1865 up to the present Time, any Person has been run over and killed by any Carriage within the District and the Superintendence of the said Force; and a like Return as to every Person maimed or otherwise injured by the same Sources; also a Statement whether the Horses drawing any Carriage at the Time of each Accident were being driven or led."—(*The Marquess of Westmeath.*)

Motion *agreed to:*—Also—

"Return of all Cases which have come to the Cognizance of the City Police since the 1st of January, 1865, up to the present Time, whereby any Person has been run over and killed by any Carriage within the District and the Superintendence of the said Force; and a like Return as to any Person maimed or injured by the same or similar Means; also a Statement whether the Horses drawing any Carriage at the Time of each Accident were being driven or led:

"Return of Summonses taken out by the Police for furious driving where no Death has happened."—(*The Marquess of Westmeath*) 1085

Ordered to be laid before the House.

COMMONS, MONDAY, FEBRUARY 26.

Thames Embankment (*North Approaches*) *Bill* (*by Order*)—

Moved, "That the Bill be read a second time upon Friday the 16th day of March next,"—(*Mr. Tite*) 1086

Amendment proposed, to leave out the words "Friday the 16th day of March next," in order to add the words "this day six months:"—(*Mr. Beresford Hope:*)—Question proposed, "That the words proposed to be left out stand part of the question."

After debate, Amendment *withdrawn:*—Main Question put, and *agreed to:*—Bill to be read a second time on the 16th March next.

Cattle Plague — Questions, Viscount Hamilton; Answer, Sir George Grey 1095

Rating of Electric Telegraphs—Question, Mr. Surtees; Answer, Mr. C. P. Villiers 1096

The Merchant Navy—Question, Mr. Hanbury Tracy; Answer, Mr. Milner Gibson 1097

Reform Bill Statistics—Question, Mr. E. P. Bouverie; Answer, Sir George Grey 1098

[*February* 26.] *Page*

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE PUBLIC EXPENDITURE—RESOLUTIONS (*Mr. White*) 1098

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the expenditure of the Government has of late years been excessive. That it was and is now 'taken in great measure out of the earnings of the People, and forms in no small degree a deduction from a scanty store which is necessary to secure to them a sufficiency, not of the comforts of life, but even of the prime necessaries of food, of clothing, of shelter, and of fuel,'"—(*Mr. White,*)—instead thereof:—

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment *withdrawn.*

CONFLICTING METROPOLITAN JURISDICTIONS — Observations, Lord Robert Montagu; Reply, Sir George Grey 1135

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES—*considered* in Committee.

Statement of the Secretary of the Navy (*Lord Clarence Paget*) in moving the First Resolution:—

Motion made, and Question proposed, "That 68,400 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1867, including 16,400 Royal Marines" 1142

After long debate, Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Morton Peto;*)

After further short debate, Motion *withdrawn*:—Original Question *withdrawn.*

(1.) £764,829, Advances for New Zealand War.

(2.) £372,943, Deficiencies on Grants for Civil Services.

Resolutions to be reported *To-morrow*:—Committee to sit again on *Wednesday.*

Jamaica Government Bill [Bill 17]—

As amended, *considered*:—Bill to be read the third time *To-morrow* .. 1173

Cattle Diseases (Ireland) Bill [Bill 37]—

Moved, "That the Bill be now read a second time," (*Mr. Attorney General for Ireland*) 1177

After short debate, Motion *agreed to*:—Bill read the second time, and *committed.*

Petit Juries (Ireland) Bill — *Ordered* (*Mr. Attorney General for Ireland and Mr. Solicitor General for Ireland*); *presented,* and read the first time. [Bill 41] .. 1178

LORDS, TUESDAY, FEBRUARY 27.

SMALLPOX IN SHEEP — Questions, The Duke of Richmond; Answer, Earl Granville 1179

Cattle Plague Bill (No. 27)—

Moved, "That the Bill be now read 2^a,"—(*The Lord President*) .. 1179

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *referred* to a Select Committee:—List of the Committee.

REPRESENTATION OF THE PEOPLE—ELECTORAL RETURNS—Motion for Returns (*Lord Stratheden*) 1187

After short debate, Motion *withdrawn*:

THE CATTLE DISEASE IN SCOTLAND—Address moved for

"Copy of a Memorial to the Privy Council from the Proprietors and Tenant Farmers of Kincardineshire, praying for the Suspension of that Part of the Act of 29th *Vict.* Cap. 2. Clause 15, which relates to the Slaughter of Cattle; and for a Copy of the Answer to that Memorial,"—(*The Earl of Airlie*) 1188

After short debate, Motion *agreed to.* (Parl. Paper, No. 35.)

COMMONS, TUESDAY, FEBURARY 27.

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EXCHANGE IN JAPAN—Question, Lord Stanley; Answer, The Chancellor of the Exchequer 1194

TREATY BETWEEN FRANCE AND MONACO—Question, Mr. W. Ewart; Answer, Mr. Layard 1196

RAILWAY BRIDGES IN THE METROPOLIS—Question, Mr. O'Beirne; Answer, Mr. Milner Gibson 1196

SALARIES OF THE CUSTOMS' CLERKS—Question, Mr. Seely; Answer, Mr. Childers 1197

THE CATTLE PLAGUE—Question, Sir Andrew Agnew; Answer, Sir G. Grey .. 1198

INDIA — EXPEDITION TO BHOOTAN — Question, Mr. Otway; Answer, Mr. Stansfeld 1198

MONUMENT TO VISCOUNT PALMERSTON—

Her Majesty's Answer to Address [23rd February] *reported* .. 1199

Railways (Guards and Passengers Communication) Bill—

After short debate, Bill *ordered* (*Mr. Henry B. Sheridan, Mr. Hardcastle*) .. 1199

Colonial Governors (Retiring Pensions) Act Amendment Bill—

After debate, Bill *ordered* (*Mr. Baillie Cochrane, Mr. Stephen Cave*) .. 1200

METROPOLITAN LOCAL GOVERNMENT, &c.—Motion,

"That a Select Committee be appointed to inquire into the Local Government and Local Taxation of the Metropolis,"—(*Mr. Ayrton*) 1203

After debate, Motion *agreed to*:—Select Committee *appointed*:—List of the Committee 1218

EAST INDIA COMMUNICATIONS—Motion,

"That a Select Committee be appointed to inquire into the practical working of the present systems of Telegraphic and Postal Communications between this Country and the East Indies,"—(*Mr. Crawford*) 1218

After long debate, Motion *agreed to*:—Select Committee *appointed*:—List of the Committee 1234

Public Libraries Act Amendment Bill—

After short debate, Bill *ordered* (*Mr. William Ewart, Mr. Dunlop*); read the first time. [Bill 44] 1234

Cattle Diseases (Ireland) Bill [Bill 37]—

Bill *considered* in Committee; and after some time spent therein, Bill *reported* 1235

CONTROVERTED ELECTIONS—CHAIRMEN'S PANEL *reported* 1238

Princess Helena's Annuity Bill—Bill *presented*, and read the first time. [Bill 42] .. 1238

Prince Alfred's Annuity Bill—Bill *presented*, and read the first time. [Bill 43] .. 1238

COMMONS, WEDNESDAY, FEBRUARY 28.

Qualification for Offices Abolition Bill [Bill 1]—

Moved, "That the Bill be now read a second time,"—(*Mr. Hadfield*) .. 1239

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Newdegate*;)

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 176, Noes 55; Majority 121:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Friday*:—Division List, Ayes and Noes 1255

Fellows of Colleges Declaration Bill [Bill 26]—

Moved, "That the Bill be now read a second time,"—(*Mr. E. P. Bouverie*) 1257

After debate, Motion *agreed to*:—Bill read a second time and *committed* for *Wednesday*, 25th April.

✓ **Jamaica Government Bill** [Bill 17]—

Moved, "That the Bill be now read the third time,"—(*Mr. Sec. Cardwell*) 1264

After short debate, Motion *agreed to*:—Bill read the third time, and *passed*.

Prince Alfred's Annuity Bill [Bill 43]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1269

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

LORDS, THURSDAY, MARCH 1.

THE CATTLE PLAGUE—SLAUGHTER OF CATTLE—PETITION—Observations, The Duke of Buccleuch; Reply, The Earl of Lichfield 1272

RAILWAYS IN THE METROPOLIS—Question, The Earl of Carnarvon; Answer, Earl Russell 1275

SCHOOLMASTERS (IRELAND)—Address for

"Return of all Schoolmasters arrested in Ireland for Ribbonism, Sedition, or connection with the Fenian Conspiracy from 1st January 1860 to the latest Date ascertainable, &c.,"—(*Lord Dunsany*) 1281

Motion *agreed to*.

COMMONS, THURSDAY, MARCH 1.

PRISONS ACT—Question, Mr. Hibbert; Answer, Sir George Grey .. 1282

WORKS AT ALDERNEY—Question, Mr. Baxter; Answer, Mr. Childers .. 1282

DEAN AND CHAPTER OF WESTMINSTER—Question, Mr. Bentinck; Answer, Sir George Grey 1283

ORNAMENTAL WATER IN REGENT'S PARK—Question, Mr. Harvey Lewis; Answer, Mr. Cowper 1283

LOSS OF THE "LONDON"—Question, Colonel Williams; Answer, Mr. Milner Gibson 1284

EAST INDIES—THE INDIAN BUDGET—Question, Mr. J. B. Smith; Answer, Mr. Stansfeld 1285

METROPOLITAN RAILWAYS—Question, Colonel Wilson Patten; Answer, Mr. Milner Gibson 1286

PARLIAMENTARY REFORM—Notice, Mr. Chancellor of the Exchequer .. 1286

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

DEVONPORT ELECTION—Question, Sir John Pakington; Answer, The Solicitor General 1287

CATTLE PLAGUE EXPERIMENTS—Question, Mr. Sandford; Answer, Mr. Baring 1315

MASTERS IN THE ROYAL NAVY—Observations, Sir Lawrence Palk; Reply, Lord Clarence Paget 1317

Motion, "That Mr. Speaker do now leave the Chair," *agreed to*:—

SUPPLY—NAVY ESTIMATES—*considered* in Committee.

Page
(1.) 68,400 Men and Boys (Sea and Coastguard Services), including 16,400 Royal Marines.—After long debate, Vote *agreed to* 1322
(2.) £2,862,704, Wages.
(3.) £1,235,188, Victuals and Clothing.
(4.) £274,119, Salaries and Expenses, Coast Guard Service, &c.—After short debate, Vote *agreed to* 1367
(5.) £63,958, Salaries, Scientific Departments.
(6.) £85,624, Victualling Yards and Transport Establishments.
(7.) £57,368, Medical Establishments.
(8.) £15,550, Marine Divisions. — After short debate, Vote *agreed to* 1368
(9.) £75,664, Medicines, Medical Stores, &c.
(10.) £20,605, Martial Law and Law Charges.
(11.) £105,800, Divers Miscellaneous Services.
(12.) £528,904, Military Pensions and Allowances.
(13.) £213,837, Civil Pensions and Allowances.
(14.) £402,788, Freight of Ships.

Resolutions to be reported *To-morrow*; Committee to sit again *To-morrow*.

Exchequer and Audit Departments Bill [Bill 3]—
Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1368
After debate, Motion *agreed to*:—Bill read a second time, and *committed* to the Committee of Public Accounts.

Public Offices (Site) Bill—Select Committee *nominated* 1375

Entail (Scotland) Bill—*Ordered* (*Mr. Henry Baillie, Mr. Edward Craufurd, Sir William Stirling-Maxwell*); *presented*, and read the first time. [Bill 45] 1375

LORDS, FRIDAY, MARCH 2.

DEVONPORT ELECTION—Personal Explanation, The Duke of Somerset .. 1376

MARRIAGE LAW (IRELAND)—PETITION OF RICHARD TALBOT—Motion for Papers (*The Marquess of Westmeath*) 1378
After short debate, Motion *postponed*.

THE LATE KING OF THE BELGIANS—THE TRUST ESTATE OF 1834—Statement of Administration of the Trust, The Earl of Derby 1381

COMMONS, FRIDAY, MARCH 2.

COURT OF ADMIRALTY (IRELAND)—Question, Mr. Maguire; Answer, The Attorney General for Ireland 1390

FISHERY PIERS (IRELAND)—Question, Sir Henry Barron; Answer, Mr. Childers 1390

EAST COAST OF AFRICA—Question, Mr. Baxter; Answer, Mr. Layard .. 1391

METEOROLOGICAL OBSERVATIONS—Question, Colonel Sykes; Answer, Mr. Milner Gibson 1392

REGENT'S PARK—Question, Mr. Harvey Lewis; Answer, Mr. Cowper .. 1392

EDUCATION—THE REVISED CODE, 1866—Question, Mr. Powell; Answer, Mr. H. A. Bruce 1393

THE CATTLE PLAGUE—Question, Mr. Banks Stanhope; Answer, Mr. H. A. Bruce 1394

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

RATING OF MINES AND WOODS—Question, Mr. Stephen Cave; Answer, Mr. C. P. Villiers:—Discussion thereon 1394

Supply—Committee *continued.*

International Maritime Law—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to use Her influence with Foreign Powers for the purpose of making the principle that private property should be free from capture by sea a maxim of International Maritime Law,"—(*Mr. Gregory,*)—instead thereof 1407

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, *Moved,* "That the debate be now adjourned," —(*Mr. Oliphant.*)

After further short debate, Motion and Amendment, by leave, *withdrawn :—*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee :—Committee report Progress; to sit again on *Monday* next.

County Courts Bill—

After short debate, Bill *ordered* (*Mr. Childers, Mr. Chancellor of the Exchequer, Mr. Attorney General*) ; *presented,* and read the first time. [Bill 47] .. 1480

Exchequer Bills and Bonds Bills—

After short debate, Bill *ordered* (*Mr. Chancellor of the Exchequer, Mr. Childers*) ; *presented,* and read the first time. [Bill 46] 1481

Marine Mutiny Bill—*Ordered* (*Mr. Dodson, Lord Clarence Paget, Mr. Childers*) ; *presented,* and read the first time 1482

Ways and Means—Resolution [March 1] *reported,* and *agreed to :*—Consolidated Fund (£1,137,772)—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers*) 1484

LORDS, MONDAY, MARCH 5.

Law of Evidence Amendment Bill (No. 16)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord Chancellor*) .. 1484

Amendment *moved,* to leave out ("now,") and insert ("this Day Six Months :") —(*Lord Chelmsford :*)—on Question, That ("now,") stand Part of the Motion ? their Lordships *divided ;* Contents 29 ; Not-Contents 29 :— The Numbers being equal, it was (according to ancient rule) *Resolved* in the *Negative ;* and Bill to be read 2^{a} on *this Day Six Months :*—List of the Contents and Not-Contents.

Divorce and Matrimonial Causes Bill (No. 17)—

After short debate, Bill read 2^{a}, and *committed* to a Committee of the Whole House *To-morrow* 1493

Cattle Diseases (Ireland) Bill (No. 30)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord President*) .. 1494

After short debate, Motion *agreed to :*—Bill read 2^{a} accordingly ; Standing Orders Nos. 37 and 38 *considered* (according to Order), and *dispensed with ;* Committee *negatived ;* Bill read 3^{a} ; an Amendment *moved,* and (by Leave of the House) *withdrawn ;* Bill *passed.*

Ecclesiastical Commission — Conversion of Curacies into Rectories— Question, The Duke of Marlborough ; Answer, Earl Granville .. 1495

COMMONS, MONDAY, MARCH 5.

Loss of the "London"—Question, Mr. Corry ; Answer, Mr. M. Gibson .. 1497

Foreign Barley — Question, Mr. Read ; Answer, The Chancellor of the Exchequer 1497

Employment of Children in Mines—Question, Mr. Akroyd; Answer, Sir George Grey 1497

Wrecks on the Coast of Durham—Question, Sir Hedworth Williamson; Answer, Mr. Milner Gibson 1498

The Queen's Bench Prison—Question, Mr. Thomson Hankey; Answer, The Attorney General 1499

Education in Scotland—Question, Sir Andrew Agnew; Answer, The Lord Advocate 1499

Poor Law—Outdoor Relief—Question, Sir Percy Burrell; Answer, Mr. C. P. Villiers 1499

The Jamaica Commission—Question, Mr. Bright; Answer, The Chancellor of the Exchequer 1500

The Cattle Plague Commission—Question, Mr. W. Miller; Answer, Mr. Baring 1501

Church Rates Abolition Bill—Question, Mr. Walpole; Answer, Mr. Beresford Hope 1503

The Reform Bill—Questions, Mr. Craufurd; Answer, The Chancellor of the Exchequer 1503

Agricultural Statistics—Question, Mr. J. Peel; Answer, Mr. M. Gibson .. 1504

Mutiny on Board the "Scotland"—Question, Mr. Graham; Answer, Mr. Milner Gibson 1504

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Devonport Election — Explanations, Lord Clarence Paget and Mr. Horsman 1505

Patent of The Secretary of State for War—Question, Captain Vivian; Answer, The Marquess of Hartington 1514

The Danubian Provinces—State of Roumania—Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer 1518

Works in New Palace Yard—Observations, Mr. Powell; Reply, Mr. Cowper 1520

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—

SUPPLY—Army Estimates—*considered* in Committee.

(In the Committee.)

(1.) 138,117 Land Forces (including 8,083 all Ranks to be employed with the Depots in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions) .. ..

After long debate, Vote *agreed to*. .. 1526

Motion made, and Question proposed, "That a number not exceeding 178 of Native Indian Troops, belonging to Her Majesty's Native Indian Army, be maintained beyond the limits of Her Majesty's Indian Possessions, during the year ending on the 31st day of March 1867, inclusive" 1531

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Percy Herbert.*)

After short debate, Motion, by leave, *withdrawn*:—Original Question put, and *agreed to*.

Motion made, and Question proposed, "That a sum, not exceeding £5,362,400, be granted to Her Majesty, to defray the Charges of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1867, inclusive" 1583

Motion made, and Question proposed, "That a sum, not exceeding £5,352,400, &c."—(*Sir Charles Russell.*)

After short debate, Motion, by leave, *withdrawn*.

SUPPLY—ARMY ESTIMATES—Committee *continued.*

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Sir James Fergusson:*)—The Committee *divided;* Ayes 43, Noes 55; Majority 12.

Original Question again proposed.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Cavendish Bentinck,*)—put, and *negatived:*—Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

LORDS, TUESDAY, MARCH 6.

BRITISH WHITE HERRING FISHERY ACT—Petition, The Duke of Argyll .. 1588

THE CATTLE PLAGUE—Report of Professor Simonds read by *Earl Granville* 1589

RAILWAY REFORM (IRELAND)—Motion for,

"Copy of a Memorial to the Chancellor of the Exchequer, signed by the Lord Mayor of Dublin on behalf of a Public Meeting held in that City on the 2nd of February on the Subject of Railway Reform,"—(*The Earl of Belmore*) 1591

Motion *agreed to.*

HOUSES OF PARLIAMENT—THE APPROACHES—Question, The Earl of Shrewsbury; Answer, Earl Granville 1591

COMMONS, TUESDAY, MARCH 6.

Mid-London Railway Bill (*by Order*)—

Moved, "That the Bill be now read a second time,"—(*Mr. Harvey Lewis*) .. 1592

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Earl Grosvenor:*)—After debate, Question, "That the words 'upon this day six months' stand part of the Question," put, and *negatived:*—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

London (*City*) *Corporation Gas Bill* (*by Order*)—

Moved, "That the Bill be now read the second time,"—(*Mr. Crawford*) .. 1597

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Viscount Cranbourne*) 1603

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 219, Noes 193; Majority 26:—Main Question put, and *agreed to:*—Bill read a second time; and *committed* to a Select Committee of Twelve Members, of whom Five shall be *nominated* by the Committee of Selection.

Instruction to the Committee to inquire into the operation and results of "The Metropolis Gas Act, 1860:"—(*Mr. Crawford:*)—List of the Committee 1613

CATTLE CARRYING VESSELS—Question, Sir Matthew Ridley; Answer, Mr. Milner Gibson 1614

GRIEVANCES OF INDIAN OFFICERS—Question, Lord William Hay; Answer, Mr. Stansfeld 1614

IRELAND—THE CATHOLIC UNIVERSITY—Questions, Mr. Lowe; Answer, The Attorney General for Ireland (Mr. Lawson) 1615

CONSULATE AT BANGKOK—Question, Mr. Wyld; Answer, Mr. Layard .. 1616

SPECIAL JURY SUMMONSES—Questions, Mr. Whatman; Answer, The Solicitor General 1616

SALE OF BEER—Question, Sir FitzRoy Kelly; Answer, The Chancellor of the Exchequer 1618

CATTLE DISEASES BILL—REMOVAL OF HIDES—THE TANNING TRADE—Question, Colonel Edwards; Answer, Mr. Baring 1619

SMITHFIELD DEAD MEAT MARKET—Question, Mr. M'Cullagh Torrens; Answer, Sir George Grey 1619

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Clerks to Justices Bill—

After short debate, Bill *ordered* (*Mr. Colville, Sir Henry Hoare*); *presented*, and read the first time. [Bill 53] 1620

Capital Punishments within Prisons Bill—

Motion, "That leave be given to bring in a Bill to provide for the carrying out of Capital Punishments within Prisons,"—(*Mr. Hibbert*) 1621

After debate, Motion *agreed to*:—Bill *ordered* (*Mr. Hibbert, Mr. Bonham-Carter, Mr. Tollemache, Mr. Mitford*); *presented*, and read the first time. [Bill 54.]

SUPPLY—REPORT—Resolutions [March 5] *reported*; and, after short debate, *agreed to* 1628

Prince Alfred's Annuity (*re-committed*) **Bill** [Bill 43]—

Bill *considered* in Committee; and, after short debate, *reported*, without Amendment 1630

Marriage with a Deceased Wife's Sister Bill—*Ordered* (*Mr. Chambers, Mr. Hankey, Mr. Morley*); *presented*, and read the first time. [Bill 50] 1631

Legitimacy Declaration, &c., Bill—*Ordered* (*Mr. Chambers, Mr. Edward Craufurd*); *presented*, and read the first time. [Bill 51] 1631

Superannuations (Officers Metropolitan Vestries and District Boards) Bill—*Ordered* (*Mr. Harvey Lewis, Mr. Chambers*); *presented*, and read the first time. [Bill 52]

Sheriff Court Houses (Scotland) Act (1860) Amendment Bill—*Ordered* (*The Lord Advocate, Mr. Adam*) 1631

Mutiny Bill—*Ordered* (*Mr. Dodson, The Marquess of Hartington, The Judge Advocate*); *presented*, and read the first time 1632

COMMONS, WEDNESDAY, MARCH 7.

Church Rates Abolition Bill [Bill 11]—

Moved, "That the Bill be now read the second time,"—(*Mr. Hardcastle*) .. 1632

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Walpole:*) —Question proposed, "That the word 'now' stand part of the Question."

After long debate, Question put, the House *divided*; Ayes 285, Noes 252; Majority 33:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 9th May.

Division List, Ayes and Noes 1691

THEATRICAL LICENCES AND REGULATIONS — Select Committee on Theatrical Licences and Regulations [*Feb* 28] *nominated* 1695

MINES—Select Committee on Mines [*Feb* 15] *nominated* 1695

LORDS, THURSDAY, MARCH 8.

Cattle Plague Bill (Nos. 27, 33, & 33*)—

Bill *considered* in Committee 1695

Standing Orders Nos. 37 and 38 *considered*, and *dispensed with*; Amendments *reported*; further Amendments made: Bill read 3^a, and *passed*, and sent to the Commons; and Bill to be *printed*, as amended. (No. 43.)

Salmon Fisheries (Scotland) Bill [H.L.]—Bill to Amend the Law relating to Salmon Fisheries in Scotland—*presented* by (*The Lord Stanley of Alderley*); read 1^a. (No. 42) 1707

COMMONS, THURSDAY, MARCH 8.

COOLIE EMIGRATION—Question, Mr. Baillie Cochrane; Answer, Mr. M. Gibson 1707

POOR LAW (SCOTLAND) — Question, Mr. Dyce Nicol; Answer, The Lord Advocate 1708

UNION RATING (IRELAND) — Question, Colonel Tottenham; Answer, The Attorney General for Ireland (Mr. Lawson) 1709

IRISH CHURCH ESTABLISHMENT—Question, Mr. Dawson; Answer, Sir J. Gray 1709

[*March* 8.] Page

The Thames Navigation—Question, Mr. Bathurst; Answer, Mr. M. Gibson 1709

Fisheries (Ireland)—Question, Mr. Blake; Answer, The Attorney General for Ireland (Mr. Lawson) 1710

Cattle Plague Bill—Questions, Mr. Hunt; Answer, Sir George Grey .. 1710

Army—Cavalry Horses—Question, Mr. O'Reilly; Answer, The Marquess of Hartington 1711

The Easter Recess — Question, Colonel Wilson Patten; Answer, The Chancellor of the Exchequer 1711

Parliamentary Oaths Amendment Bill [Bill 13]—

Moved, "That the Bill be now read a second time,"—(*Sir George Grey*) .. 1712

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*)

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 298, Noes 5; Majority 293:—List of the Noes 1736

Main Question put, and *agreed to*:—Bill read a second time and *committed* for *Thursday* next.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Case of Mr. Ferguson—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copies of the entry on the charge sheet of the Greenwich or any other Police District, under which Mr. Ferguson was locked up in a police cell on the night he was assaulted [and other Documents],"—(*Mr. H. B. Sheridan*,)—instead thereof 1737

After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—

SUPPLY *considered* in Committee—Army Estimates—Civil Service Estimates (*on Account*)— (In the Committee.)

Page

(1.) £1,134,800, Commissariat Establishment.—After debate, Vote *agreed to* .. 1747

(2.) £454,400, Clothing Establishments.—After debate, Vote *agreed to* 1750

(3.) £603,300, Barrack Establishment Services and Supplies.—After debate, Vote *agreed to* 1757

(4.) £41,100, Divine Service.

(5.) £22,000, Martial Law.—After debate, Vote *agreed to* 1763

(6.) £246,500, Hospital Establishments, Services, and Supplies.

(7.) £842,600, Disembodied Militia.—After debate, Vote *agreed to* 1766

(8.) £85,200, Yeomanry Cavalry.— After debate, Vote *agreed to* 1768

(9.) £348,100, Volunteer Corps.—After debate, Vote *agreed to* 1769

(10.) £45,000, Enrolled Pensioners.

(11.) £965,800, Manufacturing Establishments.—After debate, Vote *agreed to* .. 1773

(12.) £428,000, Military Store Establishments and Warlike Stores.—After debate, Vote *agreed to* 1777

SUPPLY—Civil Service Estimates—

Motion made, and Question proposed,

"That a sum, not exceeding £1,828,000, be granted to Her Majesty, on account, for or towards defraying the charge of the following Civil Services to the 31st day of March, 1867—[Then the several Services set forth at length] 1779

Motion *agreed to*:—Resolutions to be reported *To-morrow.*

Marine Mutiny Bill—

Bill *considered* in Committee 1783

And after some time spent therein; Bill *reported*, without Amendment.

New Forest Poor Relief Bill—*Ordered* (*Viscount Enfield, Mr. Villiers*); *presented*, and read the first time. [Bill 57] 1787

LORDS, FRIDAY, MARCH 9.

Page

Indian Army—Grievances of Indian Officers—Petition—Question, The Earl of Ellenborough; Answer, Earl De Grey and Ripon .. 1788

Abyssinia—Imprisonment of British Subjects—Question, Lord Chelmsford; Answer, The Earl of Clarendon .. 1788

Princess Helena's Annuity Bill (No. 39)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1789

After short debate, on Question, *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Prince Alfred's Annuity Bill (No. 40)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1791

On Question, *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, FRIDAY, MARCH 9.

Illness of Mr. Speaker—Mr. Dodson, the Chairman of the Committee of Ways and Means, sat as Deputy Speaker.

Private Bills—Standing Orders—Standing Order No. 52 read.

Amendment proposed,

To add, at the end thereof, the words "and shall specify by a denoting mark against each name which, if any, of the persons named in such book of reference as owners or reputed owners, lessees or reputed lessees, and occupiers, belonging to the labouring classes; and all weekly tenants and lodgers shall be deemed to belong to the labouring classes."—(*Mr. Thomas Hughes*) .. 1792

Question proposed, "That those words be there added."—After debate, Amendment, by leave, *withdrawn.*

Westminster School—Question, Mr. Mowbray; Answer, Sir George Grey .. 1804

Army—Employment of Native Troops in China—Question, Colonel North; Answer, The Marquess of Hartington .. 1805

The Cattle Disease—Question, Mr. Maguire; Answer, The Attorney General for Ireland .. 1805

Army—Artillery—Rifled Guns—Question, Lord Elcho; Answer, The Marquess of Hartington .. 1806

Customs Salaries—Question, Mr. Torrens; Answer, Mr. Childers .. 1806

Guilford Battery, Dover—Question, Major Dickson; Answer, The Marquess of Hartington .. 1807

Parliamentary Oaths Amendment Bill—Question, Sir Henry Barron; Answer, Mr. Disraeli .. 1808

Cattle Plague Bill—Question, Mr. Graves; Answer, Sir George Grey .. 1808

Obsolete Statutes—Question, Mr. Hadfield; Answer, The Attorney General .. 1808

The Devonport Election—Question, Sir John Pakington; Answer, Lord Clarence Paget .. 1808

The Casual Poor, Clerkenwell—Question, Mr. Kinnaird; Answer, Mr. C. P. Villiers .. 1809

The Bankruptcy Law—Question, Mr. T. Chambers; Answer, The Attorney General .. 1809

Mutiny Bill—Question, Mr. Darby Griffith; Answer, The Marquess of Hartington .. 1809

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Deputy Speaker do now leave the Chair:"—

Smoke Furnaces—Observations, Sir Robert Peel; Reply, Sir George Grey:—Long debate thereon .. 1810

[*March* 9.] *Page*

SUPPLY—Committee *continued.*

ARTILLERY—THE REPEATING RIFLE—Question, Mr. Watkin; Answer, Major Walker 1828

DOGS IN SCOTLAND—Observations, Mr. Ellice; Reply, The Chancellor of the Exchequer 1832

FISHERIES (IRELAND)—Question, Mr. Blake; Answer, The Attorney General for Ireland 1837

ENGINEERS OF THE ROYAL NAVY—Observations, Sir Edward Dering; Reply, Lord Clarence Paget 1840

Motion, "That Mr. Deputy Speaker do now leave the Chair," *agreed to*:—

SUPPLY *considered* in Committee—NAVY ESTIMATES—

(In the Committee.)

(1.) £173,665, Admiralty Office 1846

After short debate, Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £1,368,971, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of Her Majesty's Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1867."

After long debate, Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Otway*,) put, and *negatived*:—Original Question put, and *agreed to*:—Resolutions to be reported on *Monday* next.

Mutiny Bill—

Bill *considered* in Committee 1880

After some time spent therein; Bill *reported*, without Amendment.

Thames Navigation Bill—*Ordered* (*Mr. Milner Gibson, Mr. Monsell*); *presented*, and read the first time. [Bill 59] 1884

Railways Clauses Bill—*Ordered* (*Mr. Milner Gibson, Mr. Monsell*); *presented*, and read the first time. [Bill 60] 1884

Waterworks Bill—*Ordered* (*Mr. Milner Gibson, Mr. Monsell*); *presented*, and read the first time. [Bill 61] 1884

Merchant Shipping Act (1854) Amendment Bill—*presented*, and read the first time. [Bill 58] 1884

LORDS.

SAT FIRST.

MONDAY, FEBRUARY 5.

The Earl of Bradford, after the Death of his Father.

The Marquess of Bristol, after the Death of his Father.

The Duke of Newcastle, after the Death of his Father.

The Lord Walsingham, after the Death of his Father.

COMMONS.

NEW WRITS ISSUED.

WEDNESDAY, FEBRUARY 21.

For *Tiverton, v.* Right Hon. Viscount Palmerston, deceased.

For *Brecknock, v.* Colonel John Lloyd Vaughan Watkins, deceased.

For *Lancaster County* (Northern Division), *v.* Right Hon. Marquess of Hartington, Secretary of State.

For *London, v.* Right Hon. George Joachim Goschen, Chancellor of the Duchy of Lancaster.

For *Limerick County, v.* Right Hon. William Monsell, Vice President of the Board of Trade.

For *Sunderland, v.* Henry Fenwick, Esq., Commissioner of the Admiralty.

For *Ripon, v.* Right Hon. Sir Charles Wood, Baronet, Manor of Northstead.

For *Leominster, v.* Gathorne Hardy, Esq., who has elected to sit for the University of Oxford.

MONDAY, FEBRUARY 26.

For *Richmond, v.* Hon. John Charles Dundas, deceased.

TUESDAY, MARCH 6.

For *Kerry, v.* Right Hon. Henry Arthur Herbert, deceased.

NEW MEMBERS SWORN.

MONDAY, FEBRUARY 26.
London—Right Hon. George Joachim Goschen.

TUESDAY, FEBRUARY 27.
Ripon—Lord John Hay.

THURSDAY, MARCH 1.
Leominster—Richard Arkwright, Esq.
Brecknock—The Earl of Brecknock.
Lancaster County (Northern Division)—The Marquess of Hartington.

MONDAY, MARCH 5.
Limerick County—Right Hon. William Monsell.
Tiverton—Hon. George Denman.

TUESDAY, MARCH 6.
Sunderland—John Candlish, Esq.

THE MINISTRY.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl Russell, K.G.
Lord Chancellor	Right Hon. Lord Cranworth.
President of the Council	Right Hon. Earl Granville, K.G.
Lord Privy Seal	His Grace the Duke of Argyll, K.T.
Secretary of State, Home Department	Right Hon. Sir George Grey, Bt., G.C.B.
Secretary of State, Foreign Department	Right Hon. Earl Clarendon, K.G.
Secretary of State for Colonies	Right Hon. Edward Cardwell.
Secretary of State for War	Most Hon. Marquess of Hartington.
Secretary of State for India	Right Hon. Earl De Grey and Ripon.
Chancellor of the Exchequer	Right Hon. William Ewart Gladstone.
First Lord of the Admiralty	His Grace the Duke of Somerset, K.G.
President of the Board of Trade	Right Hon. Thomas Milner Gibson.
Postmaster General	Right Hon. Lord Stanley of Alderley.
Chancellor of the Duchy of Lancaster	Right Hon. George Joachim Goschen.
Chief Commissioner of the Poor Law Board	Right Hon. Charles Pelham Villiers.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge, K.G.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. William Monsell.
Vice President of the Committee of Privy Council for Education	Right Hon. Henry Austin Bruce,
Chief Commissioner of Works and Public Buildings	Right Hon. William Francis Cowper.
Lords of the Treasury	John Bonham-Carter, Esq., William Patrick Adam, Esq., and John Esmonde, Esq.
Lords of the Admiralty	Admiral the Hon. Sir Frederick William Grey, G.C.B., Vice Admiral Charles Eden, C.B., Rear Admiral Edward Gennys Fanshawe, Captain Lord John Hay, C.B., and George John Shaw Lefevre, Esq.
Joint Secretaries of the Treasury	Hon. Henry Bouverie, William Brand, and Hugh Culling Eardley Childers, Esq.
Secretary of the Admiralty	Hon. Thomas George Baring.
Secretary to the Poor Law Commissioners	Hon. Viscount Enfield.
Under Secretary for the Home Department	Edward Hugessen Knatchbull-Hugessen, Esq.
Under Secretary for Foreign Affairs	Austen Henry Layard, Esq.
Under Secretary for the Colonies	William Edward Forster, Esq.
Under Secretary for War	Right Hon. Lord Dufferin.
Under Secretary for India	James Stansfeld, Esq.
Judge Advocate General	Right Hon. Thomas Emerson Headlam.
Attorney General	Sir Roundell Palmer, Knt.
Solicitor General	Sir Robert Porrett Collier, Knt.

SCOTLAND.

Lord Advocate	Right Hon. James Moncreiff.
Solicitor General	George Young, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Kimberley.
Lord Chancellor	Right Hon. Maziere Brady.
Chief Secretary to the Lord Lieutenant	Right Hon. Chichester Samuel Fortescue.
Attorney General	Right Hon. James Anthony Lawson.
Solicitor General	Edward Sullivan, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of Bessborough.
Lord Chamberlain	Right Hon. Viscount Sydney, G.C.B.
Master of the Horse	Most Hon. Marquess of Ailesbury.
Treasurer of the Household	Right Hon. Lord Otho Augustus FitzGerald.
Comptroller of the Household	Right Hon. Lord Proby.
Vice Chamberlain of the Household	Right Hon. Viscount Castlerosse.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord Foley.
Captain of the Yeomen of the Guard	Right Hon. Earl of Ducie.
Master of the Buckhounds	Right Hon. Earl of Cork and Ossory, K.St.P.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

In the First Session of the Nineteenth Parliament of the
United Kingdom of Great Britain and Ireland.

29º VICTORIÆ 1866.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness George William Frederick Charles Duke of Cambridge.

Charles Thomas Archbishop of Canterbury.

Robert Monsey Lord Cranworth, *Lord Chancellor.*

William Archbishop of York.

Marcus Gervais, Archbishop of Armagh.

Granville George Earl Granville, *Lord President of the Council.*

George Douglas Lord Sundridge. (*Duke of Argyll.*) *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Henry Duke of Richmond.

William Henry Duke of Grafton.

Henry Charles Fitzroy Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

George Godolphin Duke of Leeds.

William Duke of Bedford.

William Duke of Devonshire.

John Winston Duke of Marlborough.

Charles Cecil John Duke of Rutland.

William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)

William John Duke of Portland.

William Drogo Duke of Manchester.

Henry Pelham Alexander Duke of Newcastle.

George Duke of Northumberland.

Arthur Richard Duke of Wellington.

Richard Plantagenet Campbell Duke of Buckingham and Chandos.

George Granville William Duke of Sutherland.

Harry George Duke of Cleveland.

John Marquess of Winchester.

George Marquess of Tweeddale. (*Elected for Scotland.*)

Henry Marquess of Lansdowne.

John Villiers Stuart Marquess Townshend.

James Brownlow William Marquess of Salisbury.

John Alexander Marquess of Bath.
James Marquess of Abercorn.
Richard Marquess of Hertford.
John Patrick Marquess of Bute.
Brownlow Marquess of Exeter.
Charles Marquess of Northampton.
George Charles Marquess Camden.
Henry Marquess of Anglesey.
George Horatio Marquess of Cholmondeley.
Henry Weysford Charles Plantagenet Marquess of Hastings.
George William Frederick Marquess of Ailesbury.
George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)
Frederick William John Marquess of Bristol.
Archibald Marquess of Ailsa.
Richard Marquess of Westminster.
George Augustus Constantine Marquess of Normanby.

Henry John Earl of Shrewsbury.
Edward Geoffrey Earl of Derby.
Francis Theophilus Henry Earl of Huntingdon.
George Robert Charles Earl of Pembroke and Montgomery.
William Reginald Earl of Devon.
Charles John Earl of Suffolk and Berkshire.
Rudolph William Basil Earl of Denbigh.
Francis William Henry Earl of Westmorland.
George Augustus Frederick Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George James Earl of Winchilsea and Nottingham.
George Earl of Chesterfield.
John William Earl of Sandwich.
Arthur Algernon Earl of Essex.
James Thomas Earl of Cardigan.
William George Earl of Carlisle.
Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
Anthony Earl of Berkeley.
Montagu Earl of Abingdon.
Richard George Earl of Scarbrough.
George Thomas Earl of Albemarle.
George William Earl of Coventry.
Victor Albert George Earl of Jersey.
William Henry Earl Poulett.
Sholto John Earl of Morton. (*Elected for Scotland.*)
James Earl of Caithness. (*Elected for Scotland.*)
Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)
George Earl of Haddington. (*Elected for Scotland.*)
David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)
John Thornton Earl of Leven and Melville. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. (*Elected for Scotland.*)
Thomas John Earl of Orkney. (*Elected for Scotland.*)
Sewallis Edward Earl Ferrers.
William Walter Earl of Dartmouth.
Charles Earl of Tankerville.
Heneage Earl of Aylesford.
Francis Thomas De Grey Earl Cowper.
Philip Henry Earl Stanhope.
Thomas Augustus Wolstenholme Earl of Macclesfield.
George William Richard Earl of Pomfret.
James Earl Graham. (*Duke of Montrose.*)
William Frederick Earl Waldegrave.
Bertram Earl of Ashburnham.
Seymour Sydney Hyde Earl of Harrington.
Isaac Newton Earl of Portsmouth.
George Guy Earl Brooke and Earl of Warwick.
Augustus Edward Earl of Buckinghamshire.
William Thomas Spencer Earl Fitzwilliam.
Dudley Francis Earl of Guilford.
Charles Philip Earl of Hardwicke.
Henry Edward Earl of Ilchester.
George John Earl De La Warr.
William Earl of Radnor.
John Poyntz Earl Spencer.
Henry George Earl Bathurst.
Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

John James Hugh Henry Earl Strange. (*Duke of Athol.*)

William Henry Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

Henry Howard Molyneux Earl of Carnarvon.

Henry Charles Earl Cadogan.

James Howard Earl of Malmesbury.

George John Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

Robert Earl of Mayo. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

James Alexander Earl of Rosslyn.

William Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

William Earl of Rosse. (*Elected for Ireland.*)

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

John William Spencer Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford.

Henry Earl Beauchamp.

Richard Earl of Bantry. (*Elected for Ireland.*)

George Frederick Samuel Earl De Grey.

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Adam Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville. (*In another Place as Lord President of the Council.*)

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Maude Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles Noel Earl of Gainsborough.

Edward Earl of Ellenborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)

William Earl of Dudley.

John Earl Russell.

John Robert Viscount Sydney, *Lord Chamberlain of the Household.*

Robert Viscount Hereford.

William Henry Viscount Strathallan. (*Elected for Scotland.*)

Henry Viscount Bolingbroke and St. John.

Evelyn Viscount Falmouth.

George Viscount Torrington.

Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)

John Robert Viscount Sydney. (*In another Place as Lord Chamberlain of the Household.*)

Francis Wheler Viscount Hood.

Mervyn Viscount Powerscourt. (*Elected for Ireland.*)

Thomas Viscount De Vesci. (*Elected for Ireland.*)

James Viscount Lifford. (*Elected for Ireland.*)

Edward Viscount Bangor. (*Elected for Ireland.*)

Hayes Viscount Doneraile. (*Elected for Ireland.*)

Cornwallis Viscount Hawarden. (*Elected for Ireland.*)

Carnegie Robert John Viscount St. Vincent.

Henry Viscount Melville.

William Wells Viscount Sidmouth.

George Viscount Gordon. (*Earl of Aberdeen.*)

Edward Viscount Exmouth.

Richard John Viscount Hutchinson. (*Earl of Donoughmore.*)

William Thomas Viscount Clancarty. (*Earl of Clancarty.*)

Wellington Henry Viscount Combermere.

Charles John Viscount Canterbury.

Rowland Viscount Hill.

Charles Stewart Viscount Hardinge.

Hugh Viscount Gough.

Stratford Viscount Stratford de Redcliffe.

Charles Viscount Eversley.

Archibald Campbell Bishop of London.

Charles Bishop of Durham.

Charles Richard Bishop of Winchester.

Henry Bishop of Exeter.

Connop Bishop of St. David's.

Ashhurst Turner Bishop of Chichester.

John Bishop of Lichfield.

Samuel Bishop of Oxford.

Thomas Vowler Bishop of St. Asaph.

James Prince Bishop of Manchester.

Renn Dickson Bishop of Hereford.

Alfred Bishop of Llandaff.

John Bishop of Lincoln.

Walter Kerr Bishop of Salisbury.

Robert John Bishop of Bath and Wells. (*In another Place as Lord Auckland.*)

Robert Bishop of Ripon.

John Thomas Bishop of Norwich.

James Colquhoun Bishop of Bangor.

Joseph Cotton Bishop of Rochester.

Samuel Bishop of Carlisle.

Henry Bishop of Worcester.

Charles John Bishop of Gloucester and Bristol.

Edward Harold Bishop of Ely.

Francis Bishop of Peterborough.

Robert Bishop of Cashel, Emly, Waterford, and Lismore.

William Bishop of Derry and Raphoe.

Henry Bishop of Limerick, Ardfert, and Aghadoe.

John George Brabazon Lord Ponsonby. (*Earl of Bessborough.*) *Lord Steward of the Household.*

William Lennox Lascelles Lord De Ros.

Jacob Henry Delaval Lord Hastings.

George Edward Lord Audley.

Alberic Lord Willoughby de Eresby.

Thomas Crosby William Lord Dacre.

Charles Rodolph Lord Clinton.

Thomas Lord Camoys.

Henry Lord Beaumont.

Charles Lord Stourton.

Henry William Lord Berners.

Henry Lord Willoughby de Broke.

Sackville George Lord Conyers.

George Lord Vaux of Harrowden.

Ralph Gordon, Lord Wentworth.

Edward Adolphus Ferdinand Lord Seymour.

St. Andrew Beauchamp Lord St. John of Bletso.

Charles Augustus Lord Howard de Walden.

William Bernard Lord Petre.

Frederick Benjamin Lord Saye and Sele.

John Francis Lord Arundell of Wardour.

John Stuart Lord Clifton. (*Earl of Darnley.*)

Joseph Thaddeus Lord Dormer.

George Henry Lord Teynham.

Henry Valentine Lord Stafford.

George Anson Lord Byron.

Charles Hugh Lord Clifford of Chudleigh.

Alexander Lord Saltoun. (*Elected for Scotland.*)

John Lord Gray. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

John Lord Rollo. (*Elected for Scotland.*)

Henry Francis Lord Polwarth. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

Thomas Robert Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*) (*In another Place as Lord Steward of the Household.*)

John George Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Ives Lord Boston.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

George John Lord Vernon.

Edward St. Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*) (*In another Place as Lord Privy Seal.*)

Edward William Lord Hawke.

Thomas Henry Lord Foley.

George Rice Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Lord Tyrone. (*Marquess of Waterford.*)

Richard Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

Robert John Lord Auckland. (*In another Place as Bishop of Bath and Wells.*)

George William Lord Lyttelton.

Henry Lord Mendip. (*Viscount Clifden.*)

John Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William John Lord Brodrick. (*Viscount Midleton.*)

Frederick Lord Calthorpe.

Robert John Lord Carrington.

Henry Lord Bayning.

William Henry Lord Bolton.

John Lord Wodehouse.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Lucius Lord Inchiquin. (*Elected for Ireland*).

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

Henry Lord Farnham. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

George Lord Rivers.

Augustus Frederick Arthur Lord Sandys.

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

William Brabazon Lord Ponsonby of Imokilly.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Frederick William Robert Lord Stewart of Stewart's Court. (*Marquess of Londonderry.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Francis Robert Lord Harris.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

Robert Lord Kingston. (*Earl of Kingston.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Henry Thomas Lord Ravensworth.

Hugh Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Robert Francis Lord Gifford.

Percy Ellen Frederick William Lord Penshurst. (*Viscount Strangford.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Edward Montague Stuart Granville Lord Wharncliffe.

William Lord Feversham.

John Henry Lord Tenterden.

Thomas Span Lord Plunket. (*Bishop of Tuam, Killala, and Achonry.*)

William Henry Ashe Lord Heytesbury.

Archibald John Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

Henry Lord Brougham and Vaux.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Robert Montgomerie Lord Hamilton. (*Lord Belhaven and Stenton.*)

John Hobart Lord Howden.

Fox Lord Panmure. (*Earl of Dalhousie.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Edward Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Francis Lord Ashburton.

Charles Lord Glenelg.

Edward Richard Lord Hatherton.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Henry Cairns Lord Rossmore.

Robert Shapland Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

John Lord Wrottesley.

Sudeley Charles George Tracy Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Edward John Lord Stanley of Alderley.

Henry Lord Stuart de Decies.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Ralph Lord Dunfermline.

Thomas Spring Lord Monteagle of Brandon.

James Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Oxenfoord. (*Earl of Stair.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Richard Lord Dartrey. (*Lord Cremorne.*)

Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)

Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)

William Henry Forester Lord Londesborough.

Samuel Jones Lord Overstone.

Charles Robert Claude Lord Truro.

Robert Monsey Lord Cranworth. (*In another Place as Lord Chancellor.*)

John Cam Lord Broughton.

Charles Lord De Freyne.

Edward Burtenshaw Lord Saint Leonards.

Richard Henry Fitz-Roy Lord Raglan.

Gilbert John Lord Aveland.

Thomas Lord Kenmare. (*Earl of Kenmare.*)

Richard Bickerton Pemell Lord Lyons.

James Lord Wensleydale.

Edward Lord Belper.

James Lord Talbot de Malahide.

Robert Lord Ebury.

James Lord Skene. (*Earl Fife.*)

William George Lord Chesham.

Frederic Lord Chelmsford.

John Lord Churston.

John Charles Lord Strathspey. (*Earl of Seafield.*)

Thomas Lord Kingsdown.

George Lord Leconfield.

William Tatton Lord Egerton.

Charles Morgan Robinson Lord Tredegar.

Robert Vernon Lord Lyveden.

Benjamin Lord Llanover.

Henry Lord Taunton.

Richard Lord Westbury.

Maurice Frederick Fitzhardinge Lord Fitzhardinge.

Henry Lord Annaly.

Richard Monckton Lord Houghton.

John Lord Romilly.

Francis Thornhill Lord Northbrook.

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Nineteenth Parliament* of the United Kingdom of *Great Britain and Ireland:* Amended to the Opening of the First Session on the 1st Day of February, 1866.

ABINGDON.
Hon. Charles Hugh Lindsay.

ANDOVER.
William Henry Humphery,
Hon. Dudley Francis Fortescue.

ANGLESEY.
Sir Richard Bulkeley Williams-Bulkeley, bt.

ARUNDEL.
Rt. hon. (Edward George Fitz-Alan Howard) Lord E. G. F. Howard.

ASHBURTON.
Robert Jardine.

ASHTON-UNDER-LYNE.
Rt. hon. Thomas Milner Gibson.

AYLESBURY.
Samuel George Smith,
Nathaniel Mayer de Rothschild.

BANBURY.
Bernhard Samuelson.

BARNSTAPLE.
Sir George Stucley Stucley, bt.,
Thomas Cave.

BATH.
William Tite,
James Macnaghten Hogg.

BEAUMARIS.
Hon. William Owen Stanley.

BEDFORDSHIRE.
Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.
Samuel Whitbread,
William Stuart.

BERKSHIRE.
Robert James Loyd-Lindsay,
Richard Benyon,
Sir Charles Russell, bt.

BERWICK-UPON-TWEED.
Dudley Coutts Marjoribanks,
Alexander Mitchell.

BEVERLEY.
Henry Edwards,
Christopher Sykes.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

BIRKENHEAD.
John Laird.

BIRMINGHAM.
William Scholefield,
John Bright.

BLACKBURN.
William Henry Hornby,
Joseph Feilden.

BODMIN.
Hon. Edward Frederick Leveson-Gower,
James Wyld.

BOLTON-LE-MOORS.
William Gray,
Thomas Barnes.

BOSTON.
John Wingfield Malcolm,
Thomas Parry.

BRADFORD.
Henry Wickham Wickham,
William Edward Forster.

BRECKNOCKSHIRE.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
John Lloyd Vaughan Watkins.

BRIDGNORTH.
John Pritchard,
Sir John Emerich Edward Dalberg-Acton, bt.

BRIDGWATER.
Henry Westropp,
Alexander William Kinglake.

BRIDPORT.
Thomas Alexander Mitchell,
Kirkman Daniel Hodgson.

BRIGHTHELMSTONE.
James White,
Henry Fawcett.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
Sir Samuel Morton Peto, bt.

BUCKINGHAMSHIRE.
Caledon George Du Pre,
Rt. hon. Benjamin Disraeli,
Robert Bateson Harvey.

BUCKINGHAM.
Sir Harry Verney, bt.,
John Gellibrand Hubbard.

BURY.
Robert Needham Philips.

BURY ST. EDMUNDS.
Joseph Alfred Hardcastle,
Edward Green.

CALNE.
Rt. hon. Robert Lowe.

CAMBRIDGESHIRE.
Hon. (George John Manners) Lord G. J. Manners,
Hon. Charles Philip (Yorke) Viscount Royston,
Richard Young.

CAMBRIDGE (UNIVERSITY).
Rt. hon. Spencer Horatio Walpole,
Charles Jasper Selwyn.

CAMBRIDGE.
William Forsyth,
Francis Sharp Powell.

CANTERBURY.
Henry Alexander Butler-Johnstone,
John Walter Huddleston.

CARDIFF, &c.
James Frederick Dudley Crichton-Stuart.

CARDIGANSHIRE.
Sir Thomas Lloyd, bt.

CARDIGAN, &c.
Edward Lewis Pryse.

CARLISLE.
William Nicholson Hodgson,
Edmund Potter.

CARMARTHENSHIRE.
David Jones,
David Pugh.

CARMARTHEN, &c.
William Morris.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas-Pennant.

CARNARVON, &c.
William Bulkeley Hughes.

CHATHAM.
Arthur John Otway.

CHELTENHAM.
Charles Schreiber.

CHESHIRE.
(Northern Division.)
George Cornwall Legh,
Hon. Wilbraham Egerton.

(Southern Division.)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
William Henry Gladstone.

CHICHESTER.
John Abel Smith,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

CHIPPENHAM.
Sir John Neeld, bt.,
Gabriel Goldney.

CHRISTCHURCH.
John Edward Walcott.

CIRENCESTER.
Allen Alexander Bathurst,
Hon. Ralph Heneage Dutton.

CLITHEROE.
Richard Fort.

COCKERMOUTH.
John Steel,
Rt. hon. Richard Southwell (Bourke) Lord Naas.

COLCHESTER.
John Gurdon Rebow,
Taverner John Miller.

CORNWALL.
(Eastern Division.)
Thomas James Agar Robartes,
Nicholas Kendall.

(Western Division.)
Richard Davey,
John Saint Aubyn.

COVENTRY.
Henry William Eaton,
Morgan Treherne.

CRICKLADE.
Ambrose Lethbridge Goddard,
Daniel Gooch.

CUMBERLAND.
(Eastern Division.)
Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)
Hon. Percy Scawen Wyndham,
Henry Lowther.

DARTMOUTH.
John Hardy.

DENBIGHSHIRE.
Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH, &c.
Townshend Mainwaring.

DERBYSHIRE.
(Northern Division.)
Hon. (George Henry Cavendish) Lord G. H. Cavendish,
William Jackson.

(Southern Division.)
Charles Robert Colvile,
Thomas William Evans.

DERBY.
William Thomas Cox,
Michael Thomas Bass.

DEVIZES.
Christopher Darby Griffith,
Sir Thomas Bateson, bt.

DEVONPORT.
John Fleming,
William Ferrand.

DEVONSHIRE.
(Northern Division.)
Hon. Charles Henry Rolle Trefusis,
Thomas Dyke Acland.

(Southern Division.)
Sir Lawrence Palk, bt.,
Samuel Trehawke Kekewich.

DORCHESTER.
Charles Napier Sturt,
Richard Brinsley Sheridan.

DORSETSHIRE.
Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
John Floyer.

DOVER.
Alexander George Dickson,
Charles Kaye Freshfield.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.
Henry Brinsley Sheridan.

DURHAM.
(Northern Division.)
Sir Hedworth Williamson, bt.,
Robert Duncombe Shafto.

(Southern Division.)
Joseph Whitwell Pease,
Charles Freville Surtees.

DURHAM (CITY).
John Henderson,
Rt. hon. John Robert Mowbray.

ESSEX.
(Northern Division.)
Charles Du Cane,
Sir Thomas Burch Weston, bt.

(Southern Division.)
Henry John Selwin,
Hon. (Eustace Brownlow Henry Gascoigne-Cecil) Lord E. B. H. Cecil.

EVESHAM.
James Bourne,
Edward Holland.

EXETER.
Hon. (Edward Baldwin Courtenay) Lord Courtenay,
John Duke Coleridge.

EYE.
Sir Edward Clarence Kerrison, bt.

FINSBURY.
William M'Cullagh Torrens,
Andrew Lusk.

FLINTSHIRE.
Hon. (Richard de Aquila Grosvenor) Lord R. Grosvenor.

FLINT, &c.
Sir John Hanmer, bt.

FROME.
Sir Henry Creswicke Rawlinson.

GATESHEAD.
Rt. hon. Sir William Hutt.

GLAMORGANSHIRE.
Christopher Rice Mansel Talbot,
Henry Hussey Vivian.

GLOUCESTERSHIRE.
(Eastern Division.)
Sir Michael Edward Hicks Beach, bt.,
Robert Stayner Holford.

(Western Division.)
Robert Nigel Fitzhardinge Kingscote,
John Rolt.

GLOUCESTER.
William Philip Price,
Charles James Monck.

GRANTHAM.
John Henry Thorold,
William Earle Welby.

GREENWICH.
David Salomons,
Sir Charles Tilston Bright, knt.

GRIMSBY (GREAT).
John Fildes.

GUILDFORD.
Guildford Onslow,
William Bovill.

HALIFAX.
Edward Akroyd,
James Stansfeld.

HAMPSHIRE.
(Northern Division.)
William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)
Henry Hamlyn Fane,
Sir Jervoise Clarke Clarke-Jervoise, bt.

HARWICH.
Henry Jervis White-Jervis,
John Kelk.

HASTINGS.
Hon. George Waldegrave-Leslie,
Patrick Francis Robertson.

HAVERFORDWEST.
John Henry Scourfield.

HELSTON.
Adolphus William Young.

HEREFORDSHIRE.
James King King,
Sir Joseph Russell Bailey, bt.,
Michael Biddulph.

HEREFORD.
Richard Baggally,
George Clive.

HERTFORDSHIRE.
Hon. Henry Frederick Cowper,
Rt. hon. Sir Edward George Lytton Bulwer-Lytton, bt.,
Henry Edward Surtees.

HERTFORD.
Rt. hon. William Francis Cowper,
Sir Walter Minto Townshend Farquhar, bt.

HONITON.
Frederick David Goldsmid,
Alexander Dundas Baillie Cochrane.

HORSHAM.
Robert Henry Hurst.

HUDDERSFIELD.
Thomas Pearson Crosland.

HUNTINGDONSHIRE.
Edward Fellowes,
Hon. (Robert Montagu) Lord R. Montagu.

HUNTINGDON.
Rt. hon. Jonathan Peel,
Thomas Baring.

HYTHE.
Baron Mayer Amschel de Rothschild.

IPSWICH.
Hugh Edward Adair,
John Chevallier Cobbold.

KENDAL.
George Carr Glyn.

KENT.
(Eastern Division.)
Sir Brook William Bridges, bt.,
Sir Edward Cholmeley Dering, bt.

(Western Division.)
Hon. (William Pitt) Viscount Holmesdale,
William Hart Dyke.

KIDDERMINSTER.
Albert Grant.

KING'S LYNN.
Rt. hon. Edward Henry (Stanley) Lord Stanley,
Sir Thomas Fowell Buxton, bt.

KINGSTON-UPON-HULL.
James Clay,
Charles Morgan Norwood.

KNARESBOROUGH.
Basil Thomas Woodd,
Isaac Holden.

LAMBETH.
Frederick Doulton,
Thomas Hughes.

LANCASHIRE.
(Northern Division.)
John Wilson Patten,
Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.

(Southern Division.)
Hon. Algernon Fulke Egerton,
Rt. Hon. William Ewart Gladstone,
Charles Turner.

LANCASTER.
Edward Matthew Fenwick,
William Henry Schneider.

LAUNCESTON.
Alexander Henry Campbell.

LEEDS.
George Skirrow Beecroft,
Edward Baines.

LEICESTERSHIRE.
(Northern Division.)
Rt. hon. (John James Robert Manners) Lord J. J. R. Manners,
Edward Bourchier Hartopp.

(Southern Division.)
Charles William Packe,
Hon. George Augustus Frederick Louis (Curzon-Howe) Viscount Curzon.

LEICESTER.
John Dove Harris,
Peter Alfred Taylor.

LEOMINSTER.
Arthur Walsh,
Gathorne Hardy.*

LEWES.
Hon. Henry Bouverie William Brand,
Hon. Walter John (Pelham) Lord Pelham.

LICHFIELD.
Hon. Augustus Henry Archibald Anson,
Richard Dyott.

LINCOLNSHIRE.
(Parts of Lindsey.)
James Banks Stanhope,
Sir Montagu John Cholmeley-Cholmeley, bt.

(Parts of Kesteven and Holland.)
Rt. hon. Sir John Trollope, bt.,
George Hussey Packe.

LINCOLN.
Charles Seely,
Edward Heneage.

LISKEARD.
Sir Arthur William Buller, knt.

LIVERPOOL.
Thomas Berry Horsfall,
Samuel Robert Graves.

LONDON.
Rt. hon. George Joachim Goschen,
Robert Wygram Crawford,
William Lawrence,
Baron Lionel Nathan De Rothschild.

LUDLOW.
Hon. George Herbert Windsor Windsor-Clive,
John Edmund Severne.

LYME REGIS.
John Wright Treeby.

LYMINGTON.
William Alexander Mackinnon, jun.,
Hon. George Charles (Gordon Lennox) Lord G. C. Lennox.

MACCLESFIELD.
EdwardChristopherEgerton,
John Brocklehurst.

MAIDSTONE.
William Lee,
James Whatman.

MALDON.
George Montagu Warren Sandford,
Ralph Anstruther Earle.

MALMESBURY.
Hon. Henry Charles (Howard) Viscount Andover.

MALTON.
Hon. Charles William Wentworth-Fitzwilliam,
James Brown.

MANCHESTER.
Thomas Bazley,
Edward James.

MARLBOROUGH.
Rt. hon. (Ernest Augustus Charles Brudenell-Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Brownlow William Knox.

MARYLEBONE.
John Harvey Lewis,
Thomas Chambers.

MERIONETHSHIRE.
William Robert Maurice Wynne.

MERTHYR TYDVIL.
Rt. hon. Henry Austin Bruce.

MIDDLESEX.
Robert Culling Hanbury,
Hon. George Henry Charles (Byng) Viscount Enfield.

MIDHURST.
William Townley Mitford.

MONMOUTHSHIRE.
Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.
Crawshay Bailey.

MONTGOMERYSHIRE.
Charles Watkins Williams Wynn.

MONTGOMERY.
Hon. Charles Richard Douglas Hanbury-Tracy.

MORPETH.
Rt. hon. Sir George Grey, bt.

NEWARK-UPON-TRENT.
Grosvenor Hodgkinson,
Hon. Arthur (Pelham-Clinton) Lord A. Pelham-Clinton.

NEWCASTLE-UNDER-LYME
William Shepherd Allen,
Edmund Buckley.

NEWCASTLE-UPON-TYNE.
Joseph Cowen,
Rt. hon. Thomas Emerson Headlam.

NEWPORT, ISLE OF WIGHT.
Charles Wykeham Martin,
Robert William Kennard.

NORFOLK.
(Eastern Division.)
Edward Howes,
Clare Sewell Read.

(Western Division.)
William Bagge,
Hon. Thomas De Grey.

NORTHALLERTON.
Charles Henry Mills.

NORTHAMPTONSHIRE.
(Northern Division.)
Hon. William Alleyne (Cecil) Lord Burghley,
George Ward Hunt.

(Southern Division.)
Sir Rainald Knightley, bt.,
Henry Cartwright.

NORTHAMPTON.
Rt. hon. Anthony (Henley) Lord Henley,
Charles Gilpin.

NORTHUMBERLAND.
(Northern Division.)
Sir Matthew White Ridley, bt.
Hon. (Henry Hugh Manvers Percy) Lord H. H. M. Percy.

(Southern Division.)
Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

NORWICH.
Sir William Russell, bt.,
Edward Warner.

NOTTINGHAMSHIRE.
(Northern Division.)
Hon. (Edward William Pelham-Clinton) Lord E. W. Pelham-Clinton,
Rt. hon. John Evelyn Denison.

(Southern Division.)
William Hodgson Barrow,
Hon. George Philip Cecil Arthur (Stanhope) Lord Stanhope.

NOTTINGHAM.
Charles Morley,
Sir Robert Juckes Clifton, bt.

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* *Returned also for Oxford University.*

OLDHAM.
John Tomlinson Hibbert,
John Platt.

OXFORDSHIRE.
Rt. hon. Joseph Warner Henley,
John Sidney North,
John William Fane.

OXFORD (CITY).
Charles Neate,
Rt. Hon. Edward Cardwell.

OXFORD (UNIVERSITY).
Sir William Heathcote, bt.,
Gathorne Hardy.*

PEMBROKESHIRE.
George Lort Phillips.

PEMBROKE.
Sir Hugh Owen Owen, bt.

PENRYN AND FALMOUTH.
Thomas George Baring,
Samuel Gurney.

PETERBOROUGH.
George Hammond Whalley,
Thomson Hankey.

PETERSFIELD.
Rt. Hon. Sir William George Hylton Jolliffe, bt.

PLYMOUTH.
Sir Robert Porrett Collier, knt.,
Walter Morrison.

PONTEFRACT.
Hugh Culling Eardley Childers,
Samuel Waterhouse.

POOLE.
Henry Danby Seymour,
Charles Waring.

PORTSMOUTH.
William Henry Stone,
Stephen Gaselee.

PRESTON.
Sir Thomas George Hesketh, bt.,
Hon. Frederick Arthur Smith-Stanley.

RADNORSHIRE.
Sir John Benn Walsh, bt.

RADNOR (NEW).
Richard Green Price.

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* *Returned also for Leominster.*

READING.
Sir Francis Henry Goldsmid, bt.
George John Shaw Lefevre.

REIGATE.
Granville William Gresham Leveson-Gower.

RETFORD (EAST.)
Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

RICHMOND.
Sir Roundell Palmer, knt.

RIPON.
Rt. hon. Sir Charles Wood, bt.,
Robert Kearsley.

ROCHDALE.
Thomas Bayley Potter.

ROCHESTER.
Philip Wykeham Martin,
John Alexander Kinglake.

RUTLANDSHIRE.
Hon. Gerard James Noel,
Hon. Gilbert Henry Heathcote.

RYE.
Lauchlan Bellingham Mackinnon.

ST. IVES.
Henry Paull.

SALFORD.
John Cheetham.

SALISBURY.
Matthew Henry Marsh,
Edward William Terrick Hamilton.

SALOP, OR SHROPSHIRE.
(*Northern Division.*)
John Ralph Ormsby-Gore,
Hon. Charles Henry Cust.

(*Southern Division.*)
Robert Jasper More,
Hon. Percy Egerton Herbert.

SANDWICH.
Edward Knatchbull-Hugessen,
Hon. Clarence Edward (Paget) Lord C. E. Paget.

SCARBOROUGH.
Sir John Vanden Bempde Johnstone, bt.,
John Dent Dent.

SHAFTESBURY.
George Grenfell Glyn.

SHEFFIELD.
John Arthur Roebuck,
George Hadfield.

SHIELDS (SOUTH).
Robert Ingham.

SHOREHAM (NEW).
Stephen Cave,
Sir Percy Burrell, bt.

SHREWSBURY.
George Tomline,
William James Clement.

SOMERSETSHIRE.
(*Eastern Division.*)
Ralph Neville-Grenville,
Richard Horner Paget.

(*Western Division.*)
William Henry Powell Gore-Langton,
Sir Alexander Fuller Acland Hood, bt.

SOUTHAMPTON.
Russell Gurney,
George Moffatt.

SOUTHWARK.
Austen Henry Layard,
John Locke.

STAFFORDSHIRE.
(*Northern Division.*)
Sir Edward Manningham Buller, bt.,
Rt. hon. Charles Bowyer Adderley.

(*Southern Division.*)
Henry John Wentworth Foley,
William Orme Foster.

STAFFORD.
Arthur Bass,
Walter Meller.

STAMFORD.
Hon. (Robert Talbot Gascoyne-Cecil) Viscount Cranbourne,
Sir Stafford Henry Northcote, bt.

STOCKPORT.
Edward William Watkin,
John Benjamin Smith.

STOKE-UPON-TRENT.
Alexander James Beresford Hope,
Henry Riversdale Grenfell.

STROUD.
George Poulett Scrope,
Rt. hon. Edward Horsman.

SUFFOLK.
(Eastern Division.)
Rt. hon. John (Henniker-Major) Lord Henniker,
Sir FitzRoy Kelly, knt.

(Western Division.)
Hon. Augustus Henry Charles (Hervey) Lord A. H. C. Hervey,
Windsor Parker.

SUNDERLAND.
Henry Fenwick,
James Hartley.

SURREY.
(Eastern Division.)
Hon. Peter John Locke King,
Charles Buxton.

(Western Division.)
John Ivatt Briscoe,
George Cubitt.

SUSSEX.
(Eastern Division.)
John George Dodson,
Hon. Edward (Cavendish) Lord E. Cavendish.

(Western Division.)
Walter Barttelot Barttelot,
Hon. Henry Wyndham.

SWANSEA.
Lewis Llewellyn Dillwyn.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
John Peel.

TAUNTON.
Alexander Charles Barclay,
Hon. William Montagu (Hay) Lord W. M. Hay.

TAVISTOCK.
Arthur John Edward Russell,
Joseph D'Aguilar Samuda.

TEWKESBURY.
William Edward Dowdeswell,
John Reginald Yorke.

THETFORD.
Robert John Harvey-Harvey,
Hon. Alexander Hugh Baring.

THIRSK.
Sir William Payne Gallwey, bt.

TIVERTON.
John Walrond-Walrond.

TOTNES.
Alfred Seymour,
John Pender.

TOWER HAMLETS.
Acton Smee Ayrton,
Charles Salisbury Butler.

TRURO.
Hon. John Cranch Walker Vivian,
Frederick Martin Williams.

TYNEMOUTH.
George Otto Trevelyan.

WAKEFIELD.
William Henry Leatham.

WALLINGFORD.
Sir Charles Wentworth Dilke, bt.

WALSALL.
Charles Forster.

WAREHAM.
John Hales Montagu Calcraft.

WARRINGTON.
Gilbert Greenall.

WARWICKSHIRE.
(Northern Division.)
Charles Newdigate Newdegate,
William Davenport Bromley.
(Southern Division.)
Henry Christopher Wise,
Sir Charles Mordaunt, bt.

WARWICK.
George William John Repton,
Arthur Wellesley Peel.

WELLS.
Arthur Divett Hayter,
Hedworth Hylton Jolliffe.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.
Sir Lopes Massey Lopes, bt.

WESTMINSTER.
Hon. Robert Wellesley Grosvenor,
John Stuart Mill.

WESTMORELAND.
Hon. Henry Cecil Lowther,
Hon. Thomas (Taylour) Earl of Bective.

WEYMOUTH AND MELCOMBE REGIS.
Robert Brooks,
Henry Gillett Gridley.

WHITBY.
Charles Bagnall.

WHITEHAVEN.
George Cavendish Bentinck.

WIGAN.
Hon. James Lindsay,
Henry Woods.

WIGHT (ISLE OF).
Sir John Simeon, bt.

WILTON.
Edmund Antrobus.

WILTSHIRE.
(Northern Division.)
Hon. Charles William (Brudenell-Bruce) Lord C. W. Brudenell-Bruce,
Richard Penruddocke Long.

(Southern Division.)
Hon. Henry Frederick (Thynne) Lord H. F. Thynne,
Thomas Fraser Grove.

WINCHESTER.
John Bonham-Carter,
William Barrow Simmonds.

WINDSOR (NEW).
Sir Henry Ainslie Hoare, bt.,
Henry Labouchere.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

WOODSTOCK.
Henry Barnett.

WORCESTERSHIRE.
(Eastern Division.)
Harry Foley Vernon,
Hon. Frederick Henry William Gough Calthorpe.

(Western Division.)
Frederick Winn Knight,
Hon. Frederick Lygon.

WORCESTER.
Alexander Clunes Sherriff,
Richard Padmore.

WYCOMBE (CHEPPING).
John Remington Mills,
Hon. Charles Robert Carrington.

YARMOUTH (GREAT).
Sir Edmund Henry Knowles Lacon, bt.,
James Goodson.

YORKSHIRE.
(North Riding.)
Frederick Acclom Milbank,
Hon. William Ernest Duncombe.

YORKSHIRE—*continued.*

(*East Riding.*)

Rt. hon. Beaumont (Hotham) Lord Hotham,
Hon. Arthur Duncombe.

(*Northern Division, West Riding.*)

Hon. Frederick Charles (Cavendish) Lord F. C. Cavendish,
Sir Francis Crossley, bt.

(*Southern Division, West Riding.*)

Hon. William (Wentworth-FitzWilliam) Viscount Milton.
Henry Frederick Beaumont.

YORK.

James Lowther,
George Leeman.

SCOTLAND.

ABERDEENSHIRE.

William Leslie.

ABERDEEN.

William Henry Sykes.

ARGYLLSHIRE.

Alexander Struthers Finlay.

AYRSHIRE.

Sir James Fergusson, bt.

AYR, &c.

Edward Henry John Craufurd.

BANFFSHIRE.

Robert William Duff.

BERWICKSHIRE.

David Robertson.

BUTESHIRE.

James Lamont.

CAITHNESS-SHIRE.

George Traill.

CLACKMANNAN AND KINROSS-SHIRES.

William Patrick Adam.

DUMBARTONSHIRE.

Patrick Boyle Smollett.

DUMFRIES-SHIRE.

George Gustavus Walker.

DUMFRIES, &c.

William Ewart.

DUNDEE.

Sir John Ogilvy, bt.

EDINBURGHSHIRE.

Hon. William Henry Walter (Montague-Douglas-Scott) Earl of Dalkeith.

EDINBURGH.

Duncan McLaren,
Rt. hon. James Moncreiff.

ELGIN AND NAIRNSHIRE.

Charles Lennox Cumming-Bruce.

ELGIN, &c.

Mountstuart Elphinstone Grant Duff.

FALKIRK, &c.

James Merry.

FIFESHIRE.

Sir Robert Anstruther, bt.

FORFARSHIRE.

Hon. Charles Carnegie.

GLASGOW.

William Graham,
Robert Dalglish.

GREENOCK.

Alexander Murray Dunlop.

HADDINGTONSHIRE.

Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON, &c.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.

Henry James Baillie.

INVERNESS, &c.

Alexander Matheson.

KILMARNOCK, RENFREW, &c.

Rt. hon. Edward Pleydell Bouverie.

KINCARDINESHIRE.

James Dyce Nicol.

KIRKCALDY, DYSART, &c.

Roger Sinclair Aytoun.

KIRKCUDBRIGHTSHIRE.

James Mackie.

LANARKSHIRE.

Sir Thomas Edward Colebrooke, bt.

LEITH, &c.

William Miller.

LINLITHGOWSHIRE.

Peter McLagan.

MONTROSE, &c.

William Edward Baxter.

ORKNEY AND SHETLAND.

Frederick Dundas.

PAISLEY.

Humphrey Ewing Crum-Ewing.

PEEBLES-SHIRE.

Sir Graham Graham Montgomery, bt.

PERTHSHIRE.

Sir William Stirling Maxwell, bt.

PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

Archibald Alexander Spiers.

ROSS AND CROMARTY SHIRES.

Sir James Matheson, bt.

ROXBURGHSHIRE.

Sir William Scott, bt.

ST. ANDREWS, &c.

Edward Ellice.

SELKIRKSHIRE.

Hon. (Henry John Montagu-Douglas-Scott) Lord H. J. M. D. Scott.

STIRLINGSHIRE.

John Elphinstone Erskine.

STIRLING, &c.

Lawrence Oliphant.

SUTHERLANDSHIRE.

Rt. hon. Sir David Dundas.

WICK, KIRKWALL, &c.

Samuel Laing.

WIGTONSHIRE.

Sir Andrew Agnew, bt.

WIGTON, &c.

George Young.

IRELAND.

ANTRIM.

Edward O'Neill,
George Henry Seymour.

ARMAGH.

Sir William Verner, bt.,
Sir James Mathew Stronge, bt.

ARMAGH (CITY).

Stearne Ball Miller.

ATHLONE.

Denis Joseph Rearden.

BANDON BRIDGE.

Hon. Henry Boyle Bernard.

BELFAST.

Sir Hugh MacCalmont Cairns, knt.,
Samuel Gibson Getty.

CARLOW.

Dennis William Pack Beresford,
Henry Bruen.

CARLOW (BOROUGH).

Osborne Stock.

CARRICKFERGUS.

Robert Torrens.

CASHEL.

James Lyster O'Beirne.

CAVAN.

Hon. Hugh Annesley,
Edward Saunderson.

CLARE.

Crofton M. Vandeleur,
Sir Colman Michael O'Loghlen, bt.

CLONMEL.
John Bagwell.

COLERAINE.
Sir Henry Hervey Bruce, bt.

CORK COUNTY.
George Richard Barry,
Nicholas Philpot Leader.

CORK (CITY).
John Francis Maguire,
Nicholas Daniel Murphy.

DONEGAL.
Thomas Conolly,
Hon. James (Hamilton) Viscount Hamilton.

DOWNPATRICK.
David Stewart Ker.

DOWNSHIRE.
Hon. (Arthur Edwin Hill-Trevor) Lord A. E. Hill-Trevor,
William Brownlow Forde.

DROGHEDA.
Benjamin Whitworth.

DUBLIN.
Thomas Edward Taylor,
Ion Trant Hamilton.

DUBLIN (CITY).
Benjamin Lee Guinness,
Jonathan Pim.

DUBLIN (UNIVERSITY).
Rt. hon. James Whiteside,
Anthony Lefroy.

DUNDALK.
Sir George Bowyer, bt.

DUNGANNON.
Hon. William Stuart Knox.

DUNGARVAN.
Charles Robert Barry.

ENNIS.
William Stacpoole.

ENNISKILLEN.
Hon. John Lowry Cole.

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

GALWAY.
Hon. Ulick Canning (De Burgh) Lord Dunkellin,
William Henry Gregory.

GALWAY (BOROUGH).
Michael Morris,
Sir Rowland Blennerhassett, bt.

KERRY.
Rt. hon. Henry Arthur Herbert,
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse.

KILDARE.
William Henry Ford Cogan,
Hon. (Otho Augustus FitzGerald) Lord O. A. FitzGerald.

KILKENNY.
George Leopold Bryan,
Hon. Leopold George Frederick Agar-Ellis.

KILKENNY (BOROUGH).
Sir John Gray.

KING'S COUNTY.
John Gilbert King,
Sir Patrick O'Brien, bt.

KINSALE.
Sir George Conway Colthurst, bt.

LEITRIM.
William Richard Ormsby-Gore,
John Brady.

LIMERICK.
Rt. hon. William Monsell,
Edmund John Synan.

LIMERICK (CITY).
George Gavin,
Francis William Russell.

LISBURN.
Edward Wingfield Verner.

LONDONDERRY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

LONDONDERRY (CITY).
Hon. (Claud John Hamilton) Lord C. J. Hamilton.

LONGFORD.
Myles William O'Reilly,
Fulke Southwell Greville.

LOUTH.
Rt. hon. Chichester Samuel Fortescue,
Tristram Kennedy.

MALLOW.
Edward Sullivan.

MAYO.
Hon. John Thomas (Browne) Lord J. T. Browne,
Hon. Richard Camden (Bingham) Lord Bingham.

MEATH.
Matthew Elias Corbally,
Edward MacEvoy.

MONAGHAN.
Charles Powell Leslie,
Hon. Vesey Dawson.

NEWRY.
Arthur Charles Norres.

PORTARLINGTON.
James Anthony Lawson.

QUEEN'S COUNTY.
Francis Plunket Dunne,
Rt. hon. John Wilson Fitz-Patrick.

ROSCOMMON.
Fitzstephen French,
The O'Conor Don.

ROSS (NEW).
Charles George Tottenham.

SLIGO.
Sir Robert Gore Booth, bt.,
Edward Henry Cooper.

SLIGO (BOROUGH).
Richard Armstrong.

TIPPERARY.
Charles Moore,
John Baker Dillon.

TRALEE.
O'Donoghue, Daniel (The O'Donoghue).

TYRONE.
Rt. hon. Henry Thomas Lowry-Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
John Esmonde,
Hon. John Henry (De-La-Poer-Beresford) Earl of Tyrone.

WATERFORD (CITY).
John Aloysius Blake,
Sir Henry Winston Barron, bt.

WESTMEATH.
William Pollard-Urquhart,
Algernon William Fulke Greville.

WEXFORD.
John George,
Sir James Power, bt.

WEXFORD (BOROUGH).
Richard Joseph Devereux.

WICKLOW.
William Wentworth-Fitzwilliam Dick,
Hon. Granville Leveson (Proby) Lord Proby.

YOUGHAL.
Joseph Neale M'Kenna.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *NINETEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*
APPOINTED TO MEET 1 FEBRUARY, 1866, IN THE TWENTY-
NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, February 1, 1866.

THE EIGHTEENTH PARLIAMENT of the United Kingdom was dissolved by Proclamation on the 6th day of July, 1865; by which Proclamation, also, new Writs were ordered to be issued for calling a new Parliament; which Writs were made returnable on Tuesday the Fifteenth Day of August then next.

The Meeting of the Parliament thus called was adjourned by Writ to the 1st day of November; thence to the 23rd day of November; thence to the 28th day of December; and, lastly, to Thursday the 1st February; on which day it met for Despatch of Business.

THE PARLIAMENT was opened by Commission.

The HOUSE of PEERS being met,

THE LORD CHANCELLOR acquainted the House,

"That Her Majesty not thinking fit to be personally present here this day, had been pleased to cause a Commission to be issued under the Great Seal, in order to the opening and holding of this Parliament."

Then Five of the Lords Commissioners, namely—The LORD CHANCELLOR, The LORD PRIVY SEAL (The Duke of Argyll), The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Viscount Sydney), The LORD STEWARD OF THE HOUSEHOLD (The Earl of Bessborough), and The LORD STANLEY OF ALDERLEY (The Postmaster General), being in their Robes, and seated on a Form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate Attendance in this House, to hear the Commission read."

Who being come;

THE LORD CHANCELLOR said—

"My Lords, and Gentlemen of the House of Commons,

"HER MAJESTY not thinking fit to be present here this day in Her Royal Person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under Her Great Seal, constituting us and several other Lords therein named Her Commissioners, to do all things, in Her Majesty's name, on Her part necessary to be performed in this Parliament: This will more fully appear by the Letters Patent themselves, which must now be read."

Then the said Letters Patent were read by the Clerk. And then

THE LORD CHANCELLOR said—

"My Lords, and Gentlemen,

"We have it in command from Her Majesty to let you know that as soon as the Members of both Houses shall have been sworn, the cause of the calling of this Parliament will be declared to you; and, it being necessary that a Speaker of the House of Commons should be first chosen, it is Her Majesty's pleasure that you, Gentlemen of the House of Commons, should repair to the place where you are to sit, and there proceed to the appointment of some proper person to be your Speaker, and that you should present such person as you may choose here To-morrow, at two of the clock, for Her Majesty's Royal approbation."

Then the Commons withdrew.

The House was adjourned during pleasure, to unrobe.

The House was resumed.

PRAYERS.

The LORD CHANCELLOR singly, in the first place, took the Oath at the Table.

ROLL OF THE LORDS—Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the First Session of the Nineteenth Parliament of the United Kingdom: The same was Ordered to lie on the Table.

WRITS AND RETURNS electing The Viscount Powerscourt a Representative Peer for Ireland in the Room of the late Viscount Gort, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto—*Delivered* (on Oath), and Certificate read.

Several Lords took the Oath.

House adjourned at half past Five o'clock, till To-morrow, Two o'clock.

HOUSE OF COMMONS,

Thursday, February 1, 1866.

On which day, being the day appointed by the Royal Writ for the meeting of the new Parliament, *Sir Denis Le Marchant*, Clerk of the House of Commons, and *Thomas Erskine May*, and *Henry Ley*, Esquires, Clerks Assistants, attending in the House, and the other Clerks attending according to their duty, *Charles Romilly*, Esquire, Clerk of the Crown in Chancery in *Great Britain*, delivered to the said *Sir Denis Le Marchant* a Book, containing a list of the Names of the Members returned to serve in this Parliament.

Several of the Members repaired to their seats.

A Message was delivered by *Captain Spencer Clifford*, Yeoman Usher of the Black Rod:

"Gentlemen,

"The Lords, authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers, to hear the Commission read."

Accordingly, the House went up to the House of Peers;—and a Commission having been read for opening and holding the Parliament, The Lords Commissioners directed the House to proceed to the Election of a Speaker, and present him To-morrow at Two of the clock in the House of Peers, for the Royal approbation.

And the House being returned;

CHOICE OF A SPEAKER.

THE RIGHT HONOURABLE WILLIAM MONSELL, addressing himself to the Clerk (who, standing up, pointed to him, and then sat down), said:—Gentlemen, it is now our duty to proceed, in obedience to the commands of Her Majesty, to the exercise of our undoubted right and privilege of electing a Speaker. This duty is no trivial or merely formal one, for the dignity of the office is commensurate with the influence and the widely-extended power of the Assembly over which he is to preside; and our ancestors, through many generations, have shown their sense of the importance of the office by the eminent men they have successively placed in that Chair. Yet high and important as were the responsibilities and duties of the men who were elected to the office—in the last century, such men, for instance, as Mr. Onslow and Lord Grenville—the duties and responsibilities of the Speaker in the present day are far greater even then were those which attached to those illustrious men. In one particular, of course, the duties of both are precisely the same. It was the first and most sacred duty in both times to preserve inviolate the privileges of this House, on which the liberties of the people of this country depend; and I think that anybody who has surveyed the history of past years must feel that that duty is one which requires as much watchfulness, as much care, and as much firmness in the Speaker of the present day as it did in the days to which I have alluded. But if we come, for instance, to the question of private business, and if we look back merely to the commencement of the present century, we shall find Mr. Wilberforce insisting more than once on the necessity of electing a Speaker of the highest possible qualifications, on account, he said, of the enormous importance of the private business of the House, and the large amount of money that was involved in the proper discharge of it. But the private business of this House, I need not remark, was in those days very different from what it is now. I believe that the principal private business then was connected with Canal Bills, which, in fifty years, amounted to only £11,000,000 of money; but during the last Session the private Bills presented to this House involved £128,000,000 of money. For the proper discharge of that most important business of the House the assistance of eminent Committees was called into requisition during the last Parliament; but it must be perfectly obvious, I think, to every Gentleman, that it is upon the directing mind of the Speaker—upon his determination to arrange, in every way he can, that the business should be carried on in a cheap and satisfactory way, without sacrificing in the slightest degree the influence and power of this House—it is upon him, I say, that the proper arrangement and discharge of that duty mainly depends. Or, take another instance. At the time to which I have alluded the debates of this House did not penetrate through any portion of the country—indeed, the debates were hardly reported at all. I believe it is well known that Mr. Pitt expressed his desire to see some one oration of Bolingbroke, and no such oration was to be found; and that in the case of Lord Chatham it is to the accidental circumstance of a gentleman of most powerful memory being present on the delivery of one of his greatest orations that we owe its preservation. But now, the debates of the House, by means of a cheap and accurate press, are circulated throughout every part of these kingdoms, and indeed very much beyond their bounds. These debates are the chief means of forming the public opinion, and I may say the political education, of this country. Well, I need hardly remark that it is on the manner in which the Speaker discharges his duty, it is on his firmness and impartiality, that the completeness of these debates depends; it is on the enforcement of those rules which can alone prevent majorities from tyrannizing over minorities, and which can alone make every different shade of political opinions heard in the debates, that the completeness of the political education of the people depends. There is, of course, another most important duty of the Speaker—that of preserving the high standard of order and of regularity in the conduct of our debates, which distinguishes this Assembly from, I believe, every other political assembly in the world. And when I refer to the conduct of our debates I think I only anticipate the feeling of every Gentleman in this House, when I speak of the loss which we have lately sustained. Our difficulties, and the difficulties of the Speaker, are of course increased by the loss of one whose large and generous nature, loyal in friendship, tolerant to opposition, was mellowed by age, and by a Parliamentary experience greater perhaps than that which ever belonged to any former statesman. We all of us, to whatever political party we belong, who had the honour of sitting in this House with Lord Palmerston, all of us recognized in him that unerring instinct which enabled him to stay the rising wave of angry controversy. We felt the mild and softening influence in debate of his genial, kindly, and sympathetic nature, and of a good humour that, under the most difficult circumstances, never failed to exercise upon us the happiest effects. Under these circumstances, I think myself fortunate in being able to submit to you as Speaker no new or untried man, but one who has already discharged the duties with honour to himself, and who has earned the respect of every one in the House. As to those who sat in the last Parliament I need only appeal to their memories. They all know how careful he was in watching over our privileges; they know how attentive he was to the private business of the House, and how, under his direction, its conduct has been improved. Those who had any matters of difficulty to consult him about can bear witness to his kindliness and the manner in which he always received them, thinking nothing of trouble in giving them the benefit of his most sagacious advice. And as to those who did not sit in the last Parliament and are now Members of this House, if they require anything to verify the truth of the assertion which I make—with, I am sure, the concurrence of every Member of the late Parliament—they have only to look to that most valuable addition that has lately been made to *Hansard*, where they will see collected all the decisions that the Speaker made during each year of the late Parliament. They will there find, I think, a clearness, a decision, and a wisdom which entitled the Gentleman who made those decisions to the confidence of the House over which he presided. If I may be permitted to refer to what I consider an accurate description of the Right Hon. John Evelyn Denison, I would quote the language applied somewhat more than a hundred years ago to his illustrious predecessor Mr. Speaker Onslow as marking his peculiar qualifications for the office—

> "A thorough knowledge of the orders and methods of Parliament, a clearness and readiness in delivering opinions in matters of the greatest intricacy, an impartiality in judging on all occasions."

These were the qualifications of Mr. Speaker Onslow, and these have been proved to be the qualifications during two Parliaments of the right hon. Gentleman whom I have the honour to propose to you. It would be improper in me, and I am sure it would be painful to him, if in his presence I were to say anything more of those merits and qualifications which we all recognize, and I, therefore, conclude by proposing that the Right honourable John Evelyn Denison do take the Chair of this House as Speaker.

Earl GROSVENOR: I rise to second the proposal of the right hon. Gentleman the Member for the county of Limerick. Under other circumstances, I should have felt that the task had fallen into somewhat unworthy hands; but as I understand there is no opposition to the election of the right hon. Gentleman, who has already filled the office of Speaker during two Parliaments with great credit, and to the entire satisfaction of the House, it is not necessary that I should add anything to what has been already so well said. I may, however, be allowed to say that I am confident, if the right hon. Gentleman be re-elected, he will not fail in that great ability with which he has hitherto discharged the duties of his office, that there will be no diminution in his watchful vigilance over the public interests, and that he will evince the same strict impartiality that uniformly characterized his presidency over our debates, while holding the office in former Parliaments. The office of Speaker is one which requires peculiar qualifications, and demands a considerable amount of personal sacrifice, while at the same time it has great dignity and no small influence attached to it. I am sure the right hon. Gentleman possesses all the qualifications referred to by the right hon. Gentleman the Member for Limerick; and in seconding the Motion which has been made, I am sure the House will agree with me in wishing he may have health and strength, whether this Parliament may be a long or short one, adequately to discharge his peculiar duties, not only with satisfaction to himself, but to every Member of the present House of Commons. I beg to second the Motion of the right hon. Member for Limerick county.

Mr. BRIGHT: I am well assured the House will not suppose that I rise to make any opposition to the proposition of the right hon. Gentleman behind me. If need were, I could say a good deal in its favour. I was not here at the time when the right hon. Gentleman below me was elected Speaker on the first occasion—I was not in England at the time; but I read of his election with great pleasure, and thought it about the very best choice the House could have made. After eight or nine years' experience, I believe, with the right hon. Member for Limerick, that the course of the right hon. Gentleman has been marked by impartiality, by dignity, and by success. In fact, without impartiality in such a position there could be no dignity, and without dignity there could be no success. I therefore give my hearty support to the proposition which has been made. But I rise for the purpose of making a suggestion with reference to a matter which I believe

I am permitted to speak on upon the present occasion; and if any one doubts it, I might refer to a very eminent and very useful Member of this House—the late Mr. Joseph Hume—who introduced the subject on a similar occasion. I may state that I have not mentioned to any Member the question I wish for a moment to bring under the notice of the House, and I only, therefore, am entirely responsible for mentioning it. I refer to the practice which has prevailed for generations, I suppose, and which obtains even to this time, of requiring that Members of the House who accept invitations to the official dinners or evening parties of the Speaker should appear either in court dress or uniform. Many Members of this House may think this is a very trifling matter, and I do not intend to contest it with them; but if anybody does think it trifling, I hope he will not refuse to concede that the matter is one for fair consideration. My own impression is that this custom is a little out of date, especially among the Members of a popular Assembly. There are, I believe, 160 or 170 gentlemen coming to this Parliament who were not here in the last or any preceding Parliament. Well, they have not yet been initiated into these matters; but I think the fact of there being so many new Members here makes it the more proper that I should now mention this subject. The Speaker of this House is only superior to any other Member by reason of our choice; and I cannot see—I believe no man living can see—that, except for this old custom, there is any necessity or advantage in the Speaker being compelled by this practice to require that all Members of this House who accept his invitations should appear in court dress or in military costume. It may be thought mean to speak of cost. In a House where there are so many rich men—and all are supposed to be rich who come here—I do not speak of cost; but I remember an hon. Member holding the rank of a colonel in the army once complaining, and complaining, too, with a seriousness of manner, that it had taken fifty guineas to put him inside a suitable dress in which to appear at the Speaker's table. That may be thought by many to be a small matter, and perhaps it is; but if our Speaker is but the first among equals, and is made what he is in honour and dignity by the choice of the House, I see no necessity why—even if such things be necessary in the circles of Courts—such a practice should be retained among the members of a popular assembly. I will state a case in point. Last year the House sustained a heavy loss—and I a much heavier loss than any other hon. Member—in the removal for evermore of a dear and lamented friend of mine, without whose presence here I feel myself almost alone. Well, for twenty-four years—from 1841 to 1865—he was a Member of this House, yet during the whole of that period he felt himself restrained from accepting any official invitation either from Viscount Eversley, when he held the office of Speaker, or from the right hon. Gentleman below me (Mr. Denison) while he has occupied the Chair. Now, my lamented friend was not a man of eccentricities; he was a man to whose merit the whole world has borne testimony, and posterity will say that he was one of the most eminent men who ever adorned the Parliament of this country. But so strongly did he feel on this question that he was restrained during the whole of that twenty-four years from dining with the Speaker of this House, or from attending his official evening parties and levées. Well, there have been to my certain knowledge other Members of this House less eminent than he, but not less entitled to be regarded in a matter of this kind, who have entertained the same feeling. I cannot, therefore, see why this point should be thought an absolute trifle, or, if it be a trifle, that even a small minority should be forced to concur with the majority in respect to it. If there be any country gentleman who likes to appear in decorated apparel, or if there be any homely manufacturer from the North who is gratified by figuring in the blazing garments of a deputy-lieutenant, I do not object to it in the least. I should like every man to please himself in this matter. But if there are some of us, as is the case with myself, and, I believe, many more, who would like to make their appearance in a quieter costume, with less that is gorgeous and astounding about them, why should not their taste be gratified also? This is not a subject which I expect the House to debate, nor do I even say that it is worth debating. I throw it out only as a suggestion which I trust my right hon. Friend who is about, with the unanimous consent of the House, to take the Chair, will consider. And if he can abolish this Act of Uniformity and establish an Act of Toleration, so that, provided we appear at the entertainments of the Speaker as we should at the houses of each other if invited to dine there, we should not be thought to transgress the rules of the House, I believe that then some small burden will be removed from the minds of some Members, and that the dignity of the Speaker will in no degree be impaired.

THE CHANCELLOR OF THE EXCHEQUER: I do not rise for the purpose of saying anything in addition to the speech of the right hon. Gentleman the Member for Limerick, for that is quite unnecessary, but to say a single word, as definitely as the subject will admit of, to the suggestion of the hon. Member for Birmingham. He has incidentally called the attention of the House, as it may have been quite competent for him to do, to a matter which may undoubtedly be connected with the convenience, and probably also with the feelings and opinions, of some hon. Members of this House; but I think the House in general will feel that my right hon. Friend (Mr. Denison), whom it is proposed to elect to a most important office in this House, could not be expected by the House, and could not be expected especially by the hon. Member for Birmingham —I will not say to express off-hand a judgment on a matter of this grave importance, but to commit himself in any way with regard to it without having a very full opportunity for consideration. I would, therefore, only add that I am satisfied that any communication which any hon. Gentleman may have to make, either now or at any future time, to my right hon. Friend touching the dignity or the comfort of any Member of this House will receive the fullest consideration at the hands of the right hon. Gentleman, with his accustomed courtesy and kindness.

The House then calling Mr. EVELYN DENISON to the Chair—

MR. EVELYN DENISON stood up in his place and said: I offer my respectful thanks to the House for the honour they propose to confer upon me. I am much beholden to my right hon. Friend and my noble Friend for the manner in which they have proposed and seconded my nomination to the Chair. I can hardly venture to assume to myself much of the commendation which they have been pleased to pass upon me. The favour of the House, the gracious manner in which that favour has been bestowed by its choice of me to fill the Chair, for the third time, by a unanimous voice, might unduly elevate me in my own imagination, had I not a strong and abiding sense of many imperfections and shortcomings; and I attribute the favour of the House, to its proper cause—its too indulgent appreciation of my imperfect services. That I have endeavoured to do my duty as a zealous and faithful servant of the House I can truly say. What I have been able to do you know, and it would not become me to enlarge upon it. Neither would you wish me to enter into professions for the future. I will not, therefore, detain you with one unnecessary word, but simply say that I submit myself with all respect to the desire of the House.

The House then unanimously calling Mr. EVELYN DENISON to the Chair, he was taken out of his place by the said Right honourable William Monsell, and the Right honourable Earl Grosvenor, and by them conducted to the Chair.

Then MR. SPEAKER ELECT, standing on the upper step, said: I return my thanks to the House once more from this Chair. On looking round the House I miss—we all miss—one familiar face. The House has sustained a great loss. We have lost him who was the foremost man among us, the leader of this House—who, by his great abilities, his long experience, and a rare combination of qualities, had conciliated to himself in a remarkable degree the confidence of this House. We remember often when, after long sittings, the patience of the House was well-nigh wearied out, how his good temper, his genial spirit, smoothed the ruffled surface, and sent us to our homes at peace with each other and with him. I do not propose to speak an eulogium on Lord Palmerston. The House will permit me these few words of regret, of esteem, and of grateful friendship. Of the great body of the House, my Colleagues in past Parliaments, whom I am happy to see again around me, I ask a renewal of that generous support which they have on former occasions afforded me. There is a large number of Members present who have seats in this House for the first time. They succeed to no ignoble inheritance. I would venture to say to them that the fame of this House, both for the conduct of debates and the transaction of business, depends, in no small degree, on the rules and orders which it has formed for its own government. A study of these rules would be useful to every Member, and the better they are known the more certain I should feel of general co-operation in my endeavour to uphold them. If any difficulty connected with the business of the House should present itself to any Member, I hope he will do me the favour to communicate with me. I shall always be happy to receive him and to confer with him in the spirit of frank and friendly counsel.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker—I presume, Sir, in my own name, and I am sure I may say in the name of the whole of the Members of this House, to tender to you our most cordial congratulations on your having been for the third time, by the unanimous voice of this House, placed at the head of the Commons of England. Sir, you have succeeded to the Chair amid growing duties and growing responsibilities. The wants of modern society make themselves felt within these walls, both by the increasing amount of public business and by the increasing amount also of what we term the private business of the House. Your duties in the latter respect are in a great degree withdrawn from the observation of the world, and partially withdrawn even from the observation of the Members of this House; but the long experience of those conversant with that important branch of our occupations has convinced them that that department has never been more carefully and more efficiently attended to than during the period while you, Sir, have occupied the Chair. As regards the public business of the House, all those who hear me, and, I may add, the public out of doors, are competent judges of the manner in which you sustained your arduous functions, and which has been borne testimony to with a force far beyond any that can be expressed by words—by the silent and unanimous vote of the House which has now placed you in the Chair. But it is true that in some respects you have difficulties to confront even beyond those arising out of the constantly increasing calls on the time, diligence, and wisdom of the House. We have seen within a generation a great change in the composition of this House, and likewise a great change in the composition of those constituencies by whom it was chosen. At the period of the Reform Act the transition which this House then underwent (the effect of the important alterations of a constitutional character then made), was immensely softened by the continuing presence on the Benches of the House of a number of men who had attained distinction and acquired authority under the old Parliamentary system. From year to year, from Parliament to Parliament, one by one, they have passed away. So lately as on the last occasion when you, Sir, were chosen to fill that Chair, there were still remaining here three persons who had attained to great Parliamentary distinction, and who had filled high offices before the passing of the Reform Bill. I mean, first, my noble Friend Lord Russell, who has been removed, in acknowledgment of his public services, to the other House of Legislature; secondly, my right hon. Friend Sir James Graham, than whom few, indeed, of the Members of this House made more valuable contributions to the conduct of its public business; and the last person to whom I allude, and the most eminent of them in respect to the place he occupied in the favour and attachment of this House, I need hardly mention—Lord Palmerston. After what has been so well said by my right hon. Friend behind me, and by yourself, Sir, I need hardly dilate on the character of that distinguished man, the more especially as it may be my duty very shortly to make a proposition to the House which will naturally introduce the subject. But one thing I will venture to say. You, Sir, have glanced at the loss which you yourself experienced by the lamented death of so great and experienced a statesman. There is one person at least in the House who may venture to compete with you in the sense of that loss, and that is the humble individual who has the honour now to address you, considering the responsibilities which have devolved on him. Sir, we have, as was to be expected after the lapse of so many years during which the late Parliament existed, an unusual number of Gentlemen chosen for the first time to the high duty of representing the interests of their country within these walls. But there is amazing strength in the traditions of this House, and there is unequalled aptitude among English Gentlemen for conforming to the spirit of those traditions. It is remarkable to observe, from Parliament to Parliament, how little those who watch our proceedings from without, or those who take part in those proceedings within these walls are able to remark any difference in the firmness and regularity and discipline with which the House discharges its high functions, in consequence of the infusion of new Members which constantly follows a dissolution; and, however much we may lament the loss of those distinguished men to whom I have referred, we may still reflect that there remain among us, on both sides of the House, men whose ability, experience, character, and weight will enable them to afford you efficient aid in the discharge of those arduous duties which will devolve, Sir, upon you. We may, Sir, presume to look forward with confidence to the continuance of that vigilant jealousy for the liberties, and that high regard for the honour of this Assembly, which are the two main pillars of the dignity and efficiency of the House. You, Sir, will contribute your share from the elevated position you now occupy to the accomplishment of that task, and we in our several spheres shall be ready to second you to the best of our ability. In conclusion, allow me to express the wish that has already been uttered by my noble Friend behind me, that health and strength may be spared to you for many years to discharge the high functions to which you have been called, in the manner most pleasing to your own mind, and in a way calculated to elevate you to the highest degree in the eyes of the House and of the country.

Mr. DISRAELI: I hope, Sir, I may be permitted, on behalf of Gentlemen on this side of the House, to offer you our congratulations on the event, so gratifying to the House, which has just occurred; and the more so, as from the mode in which the business of this morning has been conducted, you might, if I were silent, for a moment suppose that your elevation to the Chair has been a matter of indifference to us. I believe I am expressing a very general feeling on their part when I say that regret is felt here that your nomination to the Chair was not seconded from this side. On the previous occasion that mode was followed. There are, I believe, other precedents for such a course of proceeding under such circumstances; and if precedents did not exist, I think we ought to have made one, because this is an occasion on which the general and cordial feeling of the House could not be shown in too striking and significant a manner. You have to-day, Sir, been re-elected to the Chair for the third time. I have myself always been of opinion that re-election to the Chair is, in fact, a greater distinction than the original choice. Political manœuvres and Parliamentary passions may contrive to raise an individual to the elevated post you now occupy, but they cannot keep him there, Sir. For that result the possession of great and personal qualities is necessary—natural courtesy, adequate learning, firmness and impartiality, and, above all, that inspiring sense of honour which is our surest guide in the perplexities of public life, and which ever has been, and, I trust, ever will be, the characteristic of English gentlemen. It is because the House sees that you, Sir, possess those qualities that you have been re-elected to the Chair for the third time this day; and it is because we feel on this side of the House that you possess those qualities that I am authorized, on behalf of Gentlemen here, to offer you the tribute of our respect and congratulation. I would not have said more, had it not been for some unexpected allusions made to another subject. The right hon. Gentleman the Chancellor of the Exchequer alluded to increased responsibilities falling on him; but I can assure the right hon. Gentleman of that of which he need hardly be reminded; for, though he appears now for the first time as leader of this House, yet he has sat in it for many years, and been one of its most eminent and distinguished Members: his experience, then, must have taught him that on all occasions, when the order and honour of this House are concerned, the leader of the House may appeal for support to those sitting opposite to him with the same confidence as to the Members occupying seats on his own side. Sir, I quite agree with the right hon. Gentleman that there is one cause why on this occasion, in the responsible office which he now occupies, he may feel some distrust. I do not think that it is possible for us to re-assemble under this roof—many of us who have sat in all the Parliaments of the Queen, and some of us who have been Members of the House during three reigns—and not feel emotion when they mark that the familiar form which you, Sir, have referred to can no longer be observed among us—a form connected so intimately with the history of this country, and with the most important transactions of this House of Parliament. It is impossible to deny that the disappearance of such a character from the scene—of so much sagacity, of so much experience, and, I may say, of so much fame—must in some degree, and for some time, derogate from the authority even of the House of Commons. But, Sir, it is not on this occasion that I wish to refer to the character of a great statesman, but rather to the happy disposition of the man, which lent, indeed, a charm to the labours and anxieties of public life. By his good temper and good sense he facilitated the course of public business beyond what it is easy to ascertain, or even, perhaps, to imagine. I am sure it must be the general sentiment among us, that the influence over our debates will not soon cease of his genial experience and his moderating wisdom. But, notwithstanding this loss, I will express my hope that this present Parliament, in intelligence and public spirit, will not be inferior to the preceding Parliaments of this happy reign.

House adjourned at a quarter after Three o'clock.

HOUSE OF LORDS,

Friday, February 2, 1866.

The House met; and Five of the Lords Commissioners, namely—The Lord Chancellor, The Lord Privy Seal (The Duke of Argyll), The Lord Chamberlain of the Household (The Viscount Sydney), The Lord Steward of the Household (The Earl of Bessborough), and The Earl of Dalhousie, being in their robes, and seated on a form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate attendance in this House."

Who being come;

SPEAKER OF THE HOUSE OF COMMONS, PRESENTED AND APPROVED.

Mr. EVELYN DENISON, Speaker Elect, said—

"My Lords,

"I have to acquaint your Lordships that, in obedience to Her Majesty's commands, Her Majesty's faithful Commons, in the exercise of their undoubted right and privilege, have proceeded to the election of a Speaker, and that their choice has fallen upon myself. I now present myself at your Bar, and submit myself with all humility to Her Majesty's gracious approbation."

The LORD CHANCELLOR;

"Mr. Denison,

"We are commanded to assure you that Her Majesty is fully sensible of your zeal for the public service, of your ample sufficiency to perform the important duties which her faithful Commons have selected you to discharge, and Her Majesty does most readily approve and confirm you as their Speaker."

Then Mr. SPEAKER said,

"With profound respect and gratitude I bow to Her Majesty's commands. And it is now my duty, in the name and on the behalf of the Commons of the United Kingdom, by humble Petition to Her Majesty, to lay claim to their ancient undoubted rights and Privileges, especially to freedom from arrest and molestation of their persons and servants; to freedom of speech in debate; to free access to Her Majesty whenever occasion shall require; and that the most favourable construction should be put upon all their proceedings. And for myself, I humbly pray that any errors that may occur in the discharge of these duties may be imputed to me alone, and not to Her Majesty's faithful Commons."

The LORD CHANCELLOR;

"Mr. Speaker,

"We have it further in command to inform you that Her Majesty most readily confirms all the rights and privileges which have ever been granted to or conferred upon the Commons by any of Her Royal predecessors.

"With respect to yourself, although Her Majesty is sensible that you stand in no need of such assurance, Her Majesty will ever put the most favourable construction upon your words and actions."

Then the Commons withdrew.

Several Lords—Took the Oath.

Several Lords—Took the Oath prescribed by the Act 10th *Geo.* IV. to be taken by Peers professing the Roman Catholic Religion.

House adjourned at Five o'clock, to Monday next, Three o'clock.

HOUSE OF COMMONS,

Friday, February 2, 1866.

The House being met, and Mr. Speaker Elect having taken the Chair, a Message was delivered by the Yeoman Usher of the Black Rod:

"Mr. Speaker,

"The Lords authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers."

Accordingly, Mr. Speaker Elect, with the House, went up to the House of Peers, where he was presented to the said Lords Commissioners for Her Majesty's approbation.

Then the Lord Chancellor, one of the said Lords Commissioners, signified Her Majesty's approbation of Mr. Speaker Elect.

The House being returned;

Mr. SPEAKER said: I have to report to the House that, in the House of Peers, Her Majesty, by Her Commissioners, was pleased to approve the choice made of myself for your Speaker; and that I have, in your name and on your behalf, made claim and humble petition to Her Majesty for all your ancient and undoubted rights and privileges, particularly freedom from arrest of your persons and servants, freedom of speech in debate, free access to Her Majesty whenever occasion should require, and that the most favourable construction should be placed on all your proceedings. All these Her Majesty, by her Commissioners, has been pleased to grant and accede in as ample a manner as they have been granted and acceded to your predecessors on every former occasion. I have now to remind the House that it is their duty to take the oaths required by law.

Mr. Speaker then took and subscribed the Oath, first alone; and after him several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath; and several Members professing the Jewish Religion took and subscribed the Jewish Oath.

House adjourned at half after Four o'clock.

HOUSE OF COMMONS,

Saturday, February 3, 1866.

Several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath; and several Members, being of the People called Quakers, made and subscribed the Affirmation required by Law.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Monday, February 5, 1866.

Several Lords—Took the Oath.

Several Lords—Took the Oath prescribed by the Act 10th *Geo.* IV. to be taken by Peers professing the Roman Catholic Religion.

The Earl of Bradford—Sat first in Parliament after the Death of his Father.

His Royal Highness The Duke of Cambridge—Singly took the Oath.

The Marquess of Bristol—Sat first in Parliament after the Death of his Father.

The Right Honourable Sir John Romilly, Knight, Master or Keeper of Her Majesty's Rolls, having been created Baron Romilly—was (in the usual manner) introduced.

The Right Honourable Sir Francis Baring, Baronet, having been created Baron Northbrook—was (in the usual manner) introduced.

The Duke of Newcastle—Sat first in Parliament after the Death of his Father.

His Royal Highness The Prince of Wales—Singly took the Oath.

The Lord Walsingham—Sat first in Parliament after the Death of his Father.

House adjourned at Five o'clock,
till To-morrow, half past
One o'clock.

HOUSE OF COMMONS,

Monday, February 5, 1866.

Several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath; and several Members, being of the People called Quakers, made and subscribed the Affirmation required by Law; and one Member professing the Jewish Religion took and subscribed the Jewish Oath.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Tuesday, February 6, 1866.

Several Lords—Took the Oath.

The Session was opened by The Queen in Person.

THE QUEEN'S SPEECH.

HER MAJESTY, being seated on the Throne, adorned with Her Crown and Regal Adornments, and attended by Her Officers of State:—The Prince of Wales (in his Robes) sitting in his chair on Her Majesty's right hand—(the Lords being in their Robes)—commanded the Gentleman Usher of the Black Rod, through the Deputy Lord Great Chamberlain, to let the Commons know "It is Her Majesty's Pleasure they attend Her immediately in this House."

Who being come, with their Speaker;

The Lord Chancellor, taking direction from Her Majesty, said;—

My Lords, and Gentlemen,

"It is with great Satisfaction that I have recourse to your Assistance and Advice.

"I have recently declared My Consent to a Marriage between My Daughter Princess *Helena* and Prince *Christian* of *Schleswig-Holstein Sonderbourg-Augustenburg*. I trust this Union may be prosperous and happy.

"The Death of My Beloved Uncle The King of the *Belgians* has affected Me with profound Grief. I feel great Confidence, however, that the Wisdom which He evinced during His Reign will animate His Successor, and preserve for *Belgium* her Independence and Prosperity.

"My Relations with Foreign Powers are friendly and satisfactory, and I see no Cause to fear any Disturbance of the general Peace.

"The Meeting of the Fleets of *France* and *England* in the Ports of the respective Countries has tended to cement the Amity of the Two Nations, and to prove to the World their friendly Concert in the Promotion of Peace.

"I have observed with Satisfaction that the *United States*, after terminating successfully the severe Struggle in which they were so long engaged, are wisely repairing the Ravages of Civil War. The Abolition of Slavery is an Event calling forth the cordial Sympathies and Congratulations of this Country, which has always been foremost in showing its Abhorrence of an Institution repugnant to every Feeling of Justice and Humanity.

"I have at the same Time the Satisfaction to inform you that the Exertions and Perseverance of My Naval Squadron have reduced the Slave Trade on the West Coast of *Africa* within very narrow Limits.

"A correspondence has taken place between My Government and that of the *United States* with respect to Injuries inflicted on *American* Commerce by Cruisers under the Confederate Flag. Copies of this Correspondence will be laid before you.

"The Renewal of Diplomatic Relations with *Brazil* has given Me much Satisfaction; and I acknowledge with Pleasure that the good Offices of My Ally The King of *Portugal* have contributed essentially to this happy Result.

"I have to regret the Interruption of Peace between *Spain* and *Chili*. The good Offices of My Government, in conjunction with those of the Government of The Emperor of the *French*, have been accepted by *Spain*, and it is My earnest Hope that the Causes of Disagreement may be removed in a Manner honourable and satisfactory to both Countries.

"The Negotiations which have been long pending in *Japan,* and which have been conducted with great Ability by My Minister in that Country, in conjunction with the Representatives of My Allies in *Japan,* have been brought to a Conclusion which merits My entire Approbation. The existing Treaties have been ratified by the Mikado; it has been stipulated that the Tariff shall be revised in a Manner favourable to Commerce, and that the Indemnity due under the Terms of the Convention of *October* 1864 shall be punctually discharged.

"I have concluded a Treaty of Commerce with The Emperor of *Austria,* which I trust will open to that Empire the Blessings of extended Commerce, and be productive of important Benefits to both Countries.

"The deplorable Events which have occurred in the Island of *Jamaica* have induced Me to provide at once for an impartial Inquiry, and for the due Maintenance of Authority during that Inquiry, by appointing a distinguished Military Officer as Governor and Commander of the Forces. I have given him the Assistance of Two able and learned Commissioners, who will aid him in examining into the Origin, Nature, and Circumstances of the recent Outbreak, and the Measures adopted in the course of its Suppression. The Legislature of *Jamaica* has proposed that the present Political Constitution of the Island should be replaced by a new Form of Government. A Bill upon this subject will be submitted for your Consideration.

"Papers on these Occurrences will be laid before you.

"Papers on the present state of *New Zealand* will be laid before you.

"I have given Directions for the Return to this Country of the greater Portion of My Regular Forces employed in that Colony.

"I watch with Interest the Proceedings which are still in progress in *British North America* with a view to a closer Union among the Provinces, and I continue to attach great importance to that Object.

"I have observed with great Concern the extensive Prevalence, during the last few Months, of a virulent Distemper among Cattle in *Great Britain,* and it is with deep Regret, and with sincere Sympathy for the Sufferers, that I have learnt the severe Losses which it has caused in many Counties and Districts. It is satisfactory to know that *Ireland* and a considerable Part of *Scotland* are as yet free from this Calamity, and I trust that by the Precautions suggested by Experience, and by the Divine Blessing on the Means which are now being employed, its further Extension may be arrested.

"The Orders which have been made by the Lords of My Privy Council by virtue of the Powers vested in them by Law, with a view to prevent the spreading of this Disease, will be laid before you; and your Attention will be called to the Expediency of an Amendment of the Law relating to a Subject so deeply affecting the Interests of My People.

Gentlemen of the House of Commons,

"I have directed that the Estimates of the ensuing Year shall be laid before you. They have been prepared with a due Regard to Economy, and are at the same Time consistent with the Maintenance of Efficiency in the Public Service.

"The Condition of Trade is satisfactory.

My Lords, and Gentlemen,

"A Conspiracy, adverse alike to Authority, Property, and Religion, and disapproved and condemned alike by all who are interested in their Maintenance, without Distinction of Creed or Class, has unhappily appeared in *Ireland*. The Constitutional Power of the ordinary Tribunals has been exerted for its Repression, and the Authority of the Law has been firmly and impartially vindicated.

"A Bill will be submitted to you, founded on the Report of the Royal Commission, on the Subject of Capital Punishment, which I have directed to be laid before you.

"Bills will be laid before you for amending and consolidating the Laws relating to Bankruptcy, and for other Improvements in the Law.

"Measures will also be submitted to you for extending the System of Public Audit to Branches of Receipt and Expenditure which it has not hitherto reached, and for amending the Provisions of the Law with respect to certain Classes of Legal Pensions.

"Your Attention will be called to the Subject of the Oaths taken by Members of Parliament, with a view to avoid unnecessary Declarations, and to remove invidious Distinctions between Members of different Religious Communities in Matters of Legislation.

"I have directed that Information should be procured in reference to the Rights of Voting in the Election of Members to serve in Parliament for Counties, Cities, and Boroughs.

"When that Information is complete, the Attention of Parliament will be called to the Result thus obtained, with a view to such Improvements in the Laws which regulate the Rights of Voting in the Election of Members of the House of Commons as may tend to strengthen our free Institutions, and conduce to the Public Welfare.

"In these and in all other Deliberations I fervently pray that the Blessing of Almighty God may guide your Counsels to the Promotion of the Happiness of My People."

Then Her Majesty was pleased to retire:

And the Commons withdrew.

House adjourned during pleasure.

House *resumed.*

Several Lords—Took the Oath.

SELECT VESTRIES.

Bill, *pro formâ*, read 1^a.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.

QUESTION.

Lord CHELMSFORD said, that during the last Session of Parliament he had often called the attention of their Lordships to the condition of the British Consul and the British subjects imprisoned in Abyssinia, in the hope that he might obtain some definite information upon the subject. He had not, however, fully succeeded in his object, and he now asked the noble Earl the Secretary of State for Foreign Affairs, Whether he had any intelligence to communicate respecting the matter? He particularly desired to be informed as to the last account that had been received of the condition in which the prisoners were; whether Mr. Rassam had advanced at all in the mission which was intrusted to him, and which had been so long in hand; and whether any further efforts had been made during the long interval which had elapsed since Mr. Rassam set out to secure the liberation of those prisoners. As he had not given notice of his intention to ask the Question, but merely mentioned the matter to the noble Earl a few minutes before, he should not press for a definite answer at present.

The Earl of CLARENDON said, he would prefer postponing his answer.

The QUEEN'S SPEECH having been *reported* by The Lord Chancellor;—

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

The Marquess of NORMANBY: My Lords, I rise for the purpose of moving the presentation of a humble Address to Her Majesty in reply to the gracious Speech with which it has pleased Her Majesty to open the present Parliament. I do so, I can assure your Lordships, with the utmost diffidence in my own power, and, if I had simply consulted my inclination, I would have readily conceded the task to some other Member of your Lordships' House, who from greater experience and talent would have been better able to do justice to the numerous and important topics contained in Her Majesty's Speech. I must, therefore, beg your Lordships to extend to me as fully as possible that forbearance and consideration which I know your Lordships always accord to those who address your Lordships for the first time.

My Lords, before entering upon the topics which are alluded to in Her Majesty's Speech, I must congratulate your Lordships upon the happy circumstance that it has pleased Her Majesty once again to open Parliament in person. I feel assured that this event will be viewed by your Lordships with the utmost satisfaction, and I am confident that it will be hailed with joy by the people of this country, who are at all times anxious to avail themselves of every opportunity to display their loyalty and affection towards Her Majesty.

Your Lordships have, I feel convinced, heard with pleasure the announcement which Her Majesty has graciously made of the approaching marriage of the Princess Helena. Such an event, calculated as it is to secure the happiness of the Princess will, I am sure, find a ready response at the hands of your Lordships. Nor, I am sure, is that pleasure likely to be diminished by the fact that we are not, in all probability, to be deprived by that marriage of the example and presence of Her Royal Highness in this country. It is a fortunate circumstance in the present day that dynastic or political considerations are no longer the ruling motives in the selection of Royal alliances. We view rather with pleasure the prospects of domestic happiness which they may hold out; and, in this instance, I trust the choice of Her Majesty has fallen upon one who is well calculated to promote the happiness of the Princess Helena. I feel certain, too, that your Lordships' satisfaction will be increased by the knowledge that Her Majesty, while thus consulting the happiness of her daughter, is not likely to be deprived of the society of one whose presence must ever brighten her home and mitigate that solitude which we all so much deplore.

My Lords, I am sure that your Lordships will also sympathize with the grief expressed by Her Majesty at the death of her illustrious relative the King of the Belgians, whose decease, bound as he was to this country by no common ties, cannot fail to be a source of universal regret. He was a wise and constitutional Prince, called upon under circumstances of an extraordinary kind to reign over a new kingdom, where he gained for himself the affection and esteem of his people during a reign prolonged beyond the ordinary term. In this new and difficult position the late King of the Belgians commanded the respect of every European kingdom, and died beloved and revered at home. His son, with so bright an example before him, will, we may confidently hope, seek to emulate it, and may well look forward to a brilliant future.

My Lords, I should be consulting neither my own feelings nor those of your Lordships, did I not here pay a tribute to the memory of one whose death has deprived this country of an eminent statesman and of a faithful servant, and the House of Commons of one of its oldest and most valued Members. My Lords, there were few in this country who heard of the death of Lord Palmerston without feeling that no ordinary man had passed away—a man able in counsel, wise in debate, conciliatory in manner, possessed of a knowledge of his fellow-countrymen seldom attained by any. He secured to himself the affection, the confidence, the esteem, and the respect of the people of this country in a manner seldom if ever equalled, but certainly never surpassed, by any former statesman. At an age far exceeding that usually allotted to man, he was selected at a time of peculiar difficulty by the almost unanimous voice of the country as the one man best fitted to be intrusted with the interests of the Empire, and I am sure that his memory will long be regarded with affection and respect by the people.

My Lords, our commercial relations with America are so vast, and, above all, the desire of this country is so general for the welfare of that great country, that I am convinced that your Lordships will hear with peculiar satisfaction of the termination of the civil war which for four years deluged her fields with blood and wasted her resources. But that satisfaction must have been greatly increased by the knowledge that the termination of that war has been hallowed by the utter extinction of slavery on the North American continent. My Lords, could it be necessary to look for any means to strengthen the good feeling which exists in this country towards America, I am sure no better means could have been found than in the fact that her free institutions are no longer contaminated by slavery, and that all within her shores, whether white or black, are by law free alike. I am sure, too, my Lords, the feeling of this country will be most general in the anxious wish that the Government of America will be successful in their endeavours to repair the damages caused by the civil war, and that the whole of the American people will in future be strengthened and united. I am sure your Lordships will give the utmost consideration to the correspondence between the Governments of the United States and of this country on the subject of the injuries which have been inflicted upon the commerce of the former country by ships under the Confederate flag.

My Lords, the renewal of diplomatic relations between this country and Brazil must have been viewed by your Lordships with great satisfaction; and your Lordships will have heard with additional pleasure that Her Majesty's Government, in conjunction with that of His Imperial Majesty the Emperor of the French, have lost no time in tendering their friendly offices to the Governments of Spain and Chili, in the hope of preventing a war between those countries. Your Lordships will be further gratified to learn that their good offices have been accepted.

Her Majesty has informed your Lordships that a Commercial Treaty has been concluded with the Emperor of Austria; and, with the example of the late treaty with France before us, I am sure we may confidently expect that the commercial intercourse between the two countries will be greatly increased.

My Lords, the next paragraph in Her Majesty's Speech is one which I approach with considerable anxiety, as it refers to a subject which has led to angry controversy before people were in possession of evidence to enable them to arrive at any decided opinion. Your Lordships are all aware of the feelings with which the first news of the outbreak in Jamaica was received, and you are also aware of the feeling of indignation with which a large and influential portion of the people in this country received the accounts of the severities said to have been exercised in the repression of that rebellion. Governor Eyre, unfortunately, unadvisedly, and unaccountably, did not avail himself of the usual means of placing before this country the full circumstances of the case. Neither did he support by evidence the opinion he had formed of the outbreak. Under these circumstances, having no evidence before them—having no means of deciding upon the merits of the case—Her Majesty's Government—I think, wisely—adopted the only course open to them in appointing a Commission to inquire upon the spot into the character of the outbreak. Of the character of the Commissioners so appointed this House and the country can have but one opinion—for the character of each and all of these gentlemen is such as to secure that any investigation they may undertake will be searching, full, and impartial; and I myself, my Lords, shall be ready to abide by their decision. But, my Lords, in the meantime, until it be proved by evidence to the contrary, I shall believe that Governor Eyre was possessed of information of which we know nothing, and that he had certain knowledge of the circumstances which he mentioned in his first despatch; for I cannot believe that Governor Eyre, whose antecedents are so opposed to such a supposition, that the general of the forces, that every official, and all the influential persons throughout the island could have been so carried away by panic as to imagine that a general organized system of rebellion was in existence without evidence to that effect having been laid before them. Neither, my Lords, until it is proved by evidence, can I believe that the severities said to have been exercised have not been grossly exaggerated; for I cannot believe that except under circumstances absolutely necessary for the preservation of the colony and of the lives of the white inhabitants, Governor Eyre would have sanctioned severities which would have been an outrage upon humanity.

My Lords, Her Majesty has been graciously pleased to intimate that papers will be laid before you on the subject of New Zealand; and I am sure your Lordships will learn with satisfaction that a considerable portion of Her Majesty's troops employed in that island are ordered to return home. Most sincerely do I trust that it may be long before any considerable force will have to revisit that island; because not only do I believe that it is the duty of the colonists themselves in such a war to protect themselves, but I believe also that they are far better able to carry it on successfully than are regular troops whose very discipline and organization which render Her Majesty's army so effective in other parts of the world are in a war of that kind actually in the way. The colonists themselves, accustomed to a rough life in a new country, unincumbered by baggage, are far better able than any regular forces to cope with the Natives. If left to themselves they will either come to some terms of peace with the Natives against whom they are opposed, or they will soon get rid of their antagonists, fighting them in their own way upon their own ground.

My Lords, Her Majesty has informed your Lordships that the Orders which have been issued by the Privy Council relating to the disease among cattle which has devastated many parts of the country will be laid before you. By the blessing of Providence, I am happy to say that in my own immediate neighbourhood its ravages have not been felt, and I am therefore unable to speak from personal experience upon the subject. But the urgency of the case is such that I am sure your Lordships will give the utmost consideration to any measure which may be brought before you by Her Majesty's Government.

My Lords, I approach the subject of the Fenian conspiracy in Ireland with the deepest regret; for we must all grieve at the disloyalty, the wickedness, and the folly of those who organized and who support this foul conspiracy. But, my Lords, while we do so it appears to me that in the present condition of Ireland there are circumstances calculated to raise a lively hope of a bright future for that country. At no period of her history has there been the same combination, the same union among all the respectable inhabitants of that country. Irrespective of religion, irrespective of class, irrespective of party, all are ready to join themselves together for the protection of law, order, and the Constitution. Not one respectable individual, not one person of property, not one person of consideration in the country, has joined the Fenian movement. At no time have the juries more nobly, more justly, and more calmly performed their duties. My Lords, under these cheering circumstances, though we may regret the wickedness and the folly of those deluded men, we cannot for one moment fear the ultimate result of their conspiracy. They may injure their country, they may drive capital from Ireland, but of the ultimate result, I repeat it, there can be no doubt. I trust that sedition once banished from the land much of that unanimity, much of that combination for good which now exists may still continue, and that all may unite to promote the advancement and prosperity of Ireland. My Lords, in the full information evidently possessed by the Irish Government, in the calm, dignified, unimpassioned conduct of the Lord Lieutenant, we have the best guarantee that no outbreak can take place in that country without the knowledge of the Government; and, knowing this, knowing the overwhelming force which might be brought against them, I would fain hope that those who are engaged in this plot may be induced to see the hopelessness of their cause, and that Ireland may be saved from actual outbreak. But if they in their delusion venture to appeal to the arbitrament of arms, I trust no feeling of mistaken humanity will prevent them on the first outbreak receiving such a lesson as will show the utter hopelessness of their cause, and, by convincing them of the folly of their movement, the further effusion of blood may be prevented.

My Lords, the various measures which will be brought before your Lordships by Her Majesty's Government will, I am sure, receive your careful consideration. We are informed by Her Majesty that information will be laid before this House as to the rights of voting in the election of Members of Parliament, and that, when that information is complete, a measure will be brought before you on that subject. My Lords, on several previous occasions Reform Bills have been brought under the consideration of the Legislature, and at one time a Bill was brought in by the noble Earl opposite (the Earl of Derby), at the time he was at the head of the Government. I therefore think it can hardly now be said that no discussion on this subject is necessary. Neither do I think that in the present day it can well be said that no change in the franchise should take place. Of the intentions of Her Majesty's Government on that subject I can, of course, know nothing. I can only express my hope that any measure they may bring forward will, while protecting the rights of property and the intelligence of the country, secure a fair and substantial representation of the working classes.

My Lords, I thank you for the forbearance with which you have heard me. I am fully aware of the imperfection of the remarks I have made, and I will not further trespass on your Lordships' time and consideration, but will move that the following humble Address be presented to Her Majesty:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble Thanks to Your Majesty for Your Majesty's Gracious Speech.

"WE humbly thank Your Majesty for informing us that Your Majesty has declared Your Consent to a Marriage between Your Majesty's Daughter The Princess *Helena* and Prince *Christian* of *Schleswig-Holstein Sonderbourg-Augustenburg;* and with Your Majesty we trust this Union may be prosperous and happy.

"WE assure Your Majesty that we participate in the profound Grief felt by Your Majesty at the Death of Your Majesty's beloved Uncle The King of the *Belgians;* but we feel confident that the Wisdom which He evinced during His Reign will animate His Successor, and preserve for *Belgium* her Independence and Prosperity.

"WE rejoice to learn that Your Majesty's Relations with Foreign Powers are friendly and satisfactory, and that Your Majesty sees no Cause to fear any Disturbance of the general Peace.

"WE trust that the Meeting of the Fleets of *France* and *England* in the Ports of the respective Countries has tended to cement the Amity of the Two Nations, and to prove to the World their friendly Concert in the Promotion of Peace.

"WE humbly assure Your Majesty that we learn with Satisfaction that the *United States*, after terminating successfully the severe Struggle in which they were so long engaged, are wisely repairing the Ravages of Civil War; and that with Your Majesty we regard the Abolition of Slavery as an Event calling forth the cordial Sympathies and Congratulations of this Country, which has always been foremost in showing its Abhorrence of an Institution repugnant to every Feeling of Justice and Humanity.

"WE humbly convey our Thanks to Your Majesty for informing us that the Exertions and Perseverance of Your Majesty's Naval Squadron have reduced the Slave Trade on the West Coast of *Africa* within very narrow Limits.

"WE thank Your Majesty for directing Copies to be laid before us of the Correspondence which has taken place between Your Majesty's Government and that of the *United States* with respect to Injuries inflicted on *American* Commerce by Cruisers under the Confederate Flag.

"WE express our Thanks to Your Majesty for informing us that diplomatic Relations with *Brazil* have been renewed; and that the good Offices of Your Majesty's Ally The King of *Portugal* have contributed essentially to this happy Result.

"WITH Your Majesty we regret the Interruption of Peace between *Spain* and *Chili;* and we earnestly trust that through the good Offices of Your Majesty's Government, in conjunction with those of The Emperor of the *French*, the Causes of Disagreement may be removed in a Manner honourable and satisfactory to both Countries.

"WE thank Your Majesty for informing us that the Negotiations which have been long pending in *Japan* have been brought to a Conclusion which has received Your Majesty's entire Approbation; that the existing Treaties have been ratified by the Mikado; and that Stipulations have been made for the Revision of the Tariff in a Manner favourable to Commerce, and for the punctual Discharge of the Indemnity due under the Terms of the Convention of *October* 1864.

"WE humbly express to Your Majesty our Thanks for informing us that Your Majesty has concluded a Treaty of Commerce with The Emperor of *Austria*, which Your Majesty trusts will open to that Empire the Blessings of extended Commerce, and be productive of important Benefits to both Countries.

"We humbly thank Your Majesty for informing us that in consequence of the deplorable Events which have occurred in the Island of *Jamaica* Your Majesty has been induced to provide at once for an impartial Inquiry, and for the Maintenance of Authority during that Inquiry, by appointing a distinguished Military Officer as Governor and Commander of the Forces; that Your Majesty has given him the Assistance of Two able and learned Commissioners, who will aid him in examining into the Origin, Nature, and Circumstances of the recent Outbreak, and the Measures adopted in the course of its Suppression; and that the Legislature of *Jamaica* has proposed that the present Political Constitution of the Island should be replaced by a new Form of Government.

"We assure Your Majesty that we will give our careful Consideration to the Bill on this Subject which is to be submitted to us.

"We thank Your Majesty for directing Papers on these Occurrences, and on the present State of *New Zealand*, to be laid before us.

"We convey to Your Majesty our Thanks for informing us that Directions have been given for the Return to this Country of the greater Portion of Your Majesty's Regular Forces employed in the Colony of *New Zealand*.

"With Your Majesty we watch with Interest the Proceedings which are still in progress in *British North America* with a view to a closer Union among the Provinces, an Object to which Your Majesty continues to attach great Importance.

"We have observed with great Concern the extensive Prevalence, during the last few Months, of a virulent Distemper among Cattle in *Great Britain*, and it is with deep Regret, and with sincere Sympathy for the Sufferers, that we have learnt the severe Losses which it has caused in many Counties and Districts, whilst it is satisfactory to know that *Ireland* and a considerable part of *Scotland* are as yet free from this Calamity, and we trust with Your Majesty that by the Precautions suggested by Experience, and by the Divine Blessing on the Means which are now being employed, its further Extension may be arrested.

"We thank Your Majesty for directing the Orders which have been made by the Lords of Your Majesty's Privy Council, by virtue of the Powers vested in them by Law, with a view to prevent the spreading of this Disease, to be laid before us; and we humbly assure Your Majesty that our best Attention shall be given to the Expediency of an Amendment of the Law relating to a Subject so deeply affecting the Interests of the People.

"We humbly express our Thanks to Your Majesty for informing us that a Conspiracy, adverse alike to Authority, Property, and Religion, and disapproved and condemned alike by all who are interested in their Maintenance, without Distinction of Creed or Class, has unhappily appeared in *Ireland*, and that the Constitutional Power of the ordinary Tribunals has been exerted for its Repression, and the Authority of the Law firmly and impartially vindicated.

"We humbly assure Your Majesty that our serious Consideration shall be given to the Bill to be submitted to us, founded on the Report of the Royal Commission, on the Subject of Capital Punishment; to the Bills for amending and consolidating the Laws relating to Bankruptcy, and for other Improvements in the Law; to the Measures for extending the System of Public Audit to Branches of Receipt and Expenditure, which it has not hitherto reached; and for amending the Provisions of the Law with respect to certain Classes of Legal Pensions; and to the Subject of the Oaths taken by Members of Parliament.

"We thank Your Majesty for having directed that Information should be procured in reference to the Rights of Voting in the Election of Members to serve in Parliament for Counties, Cities, and Boroughs; and we assure Your Majesty that when that Information is complete our earnest Attention will be given to the Result thus obtained.

"With Your Majesty we fervently pray that the Blessing of Almighty God may guide our Counsels to the Promotion of the Happiness of Your People."

The Earl of MORLEY: My Lords, in rising to perform the duty which has on the present occasion devolved upon me, I am fully sensible how greatly I stand in need of that leniency and indulgence which your Lordships are wont to extend to those Members of your House who are for the first time addressing you; and I would venture to say that I have a more than ordinary claim on your indulgence, in consideration no less of my own want of experience in public affairs than of the wide range and the varied and important nature of the subjects to which I have to call your Lordships' attention. Before, however, I proceed to these subjects, I cannot but most heartily congratulate your Lordships upon one circumstance which characterizes the present occasion. It is, I am confident, with feelings of the sincerest pleasure and gratification that you have seen Her Majesty so far restored to health and strength, after her severe afflictions, as to be enabled again to perform the functions of her high office, and in person to open her newly-assembled Parliament. Irreparable as is the loss which she and, in common with her, the nation have suffered, it may be that the very affliction itself, and the universal sympathy which it has called forth, will be the means of still further intensifying those sentiments of loyalty and attachment which England has ever felt towards her Sovereign, and which cannot fail to receive a fresh impulse from her re-appearance in the sphere of public life.

My Lords, the speech from the Throne contains matter both for congratulation and for condolence with Her Majesty—matter for congratulation in the approaching marriage of the Princess Helena—an event which, I am confident, your Lordships will cordially welcome, as contributing to Her Majesty's gratification, and, I trust, to the happiness of a member of the Royal Family; matter for condolence in an event which has at once deprived our Sovereign of a revered and beloved relative, and a neighbouring and friendly nation of a wise and sagacious ruler, whose prudent policy advanced it to its present state of prosperity, and whose counsels spread their influence far beyond the comparatively narrow limits of his own Kingdom through the whole length and breadth of Europe. The Belgians will, I doubt not, have your Lordships' sympathy and your best wishes that their present Sovereign, wisely following in the footsteps of his predecessor, may be enabled like him to preserve and to promote the welfare and independence of his subjects. My Lords, there is one more sad event which has occurred since we were last assembled here which I cannot pass over in silence, even though I only echo the sentiments expressed by the noble Mover of the Address. This country has lost one of its most venerable and one of its most popular statesmen. It has lost one who, by his affability and by his tact, could conciliate all those with whom he came in contact, and who, by his wide experience and political sagacity, gained for himself the respect and the confidence of the whole nation. I will, my Lords, leave it to those better qualified than myself to pass an eulogium upon his life, devoted for more than half a century to the service of his country. All that I will say is that his memory will long be cherished with affection by the nation which now deplores his loss.

My Lords, I will, in the next place, refer to our foreign relations. Throughout the civilized world peace and tranquillity again prevail. The Chilian and Spanish difficulties, it is true, threatened at first to give rise to a war; but it may reasonably be hoped that, before any further acts of hostility are committed which may tend to exasperate both parties, and to render an amicable solution of the question at issue impossible, the friendly interposition of the Great Powers may effect a reconciliation between the contending nations. In North America your Lordships will have heard with great satisfaction that the last year has been signalized by the termination of the deadly fratricidal contest which has for four years devastated that country. Our nation, it is true, was personally interested in the event; but the joy which it experiences at the restoration of peace is not of a purely selfish nature. It unfeignedly rejoices that a nation possessed of boundless resources, and endowed with indomitable energy, has again freedom to develop its constitution, its industry, and its commerce. It rejoices that the conclusion of the war is the signal for the abolition of negro slavery—an institution which is the bane of civilized society and a barrier to all true social progress. It rejoices, further, that the victorious have known how to use their victory with clemency, and to follow a moderate and wise line of policy in the reconstruction of the Union; and, finally, it sincerely hopes that no untoward events may tend to counteract the ties of race, of amity, and of interest, which should ever connect us with the re-United States. Our relations with other foreign Powers are no less calculated to contribute to your Lordships' satisfaction. With Brazil we are again on terms of amity. With France our union was never more cordial, never more firm. The mutual hospitalities which our fleets have interchanged tend, in no slight degree, to quicken those friendly feelings, and to strengthen the *entente cordiale* between the two nations, and in so doing give us the surest hopes that peace will prevail in Europe, and that civilization will spread throughout the world. With Austria we have recently entered into a Treaty of Commerce—a treaty which benefits this country by extending its commercial relations, and by opening a new field to mercantile adventure, and which, above all, marks the first success achieved by the principles of free trade against the stronghold of the protective system.

My Lords, the questions relating to our colonial policy have already been so ably treated by the noble Marquess who has just sat down that I need detain your Lordships but a very short time with them. The colonies are generally prosperous, and the more tranquil condition of New Zealand has warranted the withdrawal of a large proportion of Her Majesty's troops. But there is one deplorable exception to this general rule, which affects not less the welfare of an important colony than the reputation for justice and integrity of the mother country itself. My Lords, the facts of the Jamaica outbreak are still involved in obscurity. How far there was an organized rebellion among the black population of the island—how far that rebellion was the result of the previous unfair administration and tyrannical conduct of the white race—and, lastly, how far the emergency justified the apparently extreme severity of the execution—are questions which, I would humbly suggest, we are as yet not in a position to answer. Two diametrically opposite opinions seem to prevail on the opposite shores of the Atlantic. In Jamaica itself there is apparently a universal conviction that a widely-ramified conspiracy had been organized by the black population for the purpose of annihilating the white, and that the events at Morant Bay were but a premature outbreak of a general rebellion; and, further, the feeling seems generally to prevail that the Governor was not merely justified in his conduct, but that, for the energy with which he suppressed the outbreak, he deserved the gratitude of the whole island. In this country, on the other hand, large classes of men have most unfairly prejudged the whole question. Upon the most insufficient evidence they have condemned Governor Eyre—they have condemned him without a hearing—the very crime which they impute to him in his dealings with the negroes; and in some cases deny that there was any organized conspiracy at all. Both these opinions are equally unsatisfactory. In one case the opinion was given under the influence of a panic;—the colonists were under the impression that a race three times their number was preparing to destroy them *en masse*, and with the remembrance of the previous outbreak of 1831, and with the example of Hayti before their eyes, they might not unnaturally be induced to exaggerate their danger—if they did exaggerate it—and in the fulness of their gratitude to justify any measures which had been the means of effectually averting it. In the other case, men have ventured, upon the most imperfect evidence, to pass sentence on events which occurred 5,000 miles from these shores under a set of conditions of which they have never had the slightest experience. From their own position of security they have rashly condemned the measures of those who were acting under the belief that their lives and properties were in hourly danger. Under these circumstances, my Lords, and allowing that *primâ facie* Governor Eyre's measures seem to be unnecessarily severe, there was but one course for Her Majesty's Government to pursue; and this course they have adopted. A judicious and carefully selected Commission, with Sir Henry Storks at its head—a man of acknowledged administrative power, and of a character above all unfairness or partiality—has been sent out to investigate the circumstances of the case. To enable this Commission fully and impartially to perform its duties, Governor Eyre has been temporarily superseded — a step which has been the subject of adverse criticism, but which was, under the circumstances, absolutely necessary, and which in no way prejudges the case or throws any stigma on the Governor's conduct. When this inquiry is completed, and the whole circumstances are laid before you, it will remain with your Lordships to condemn or approve the measures of the Jamaica Executive, as the case may be:—while it is still pending, it cannot but be unfair to express a decided opinion either way.

There remain three subjects of the most vital importance connected with the home policy of this country, in consideration of which I venture to make a still further claim on your Lordships' indulgence. In Ireland, my Lords, revolutionary schemes have again been brought to light—schemes which though they may be wanting in every essential element of success have yet been productive of considerable annoyance, and may temporarily retard the rapid development of the resources and the industry of the island. Fenianism is a vibration of the vast movements which have recently agitated the Transatlantic States. Five years or more has it been in coming to maturity, and now its promoters have doubtless been encouraged to persist in their designs by the delusive hope that the termination of the war in America would be the signal for a rupture with this country—a hope which I trust and believe is doomed to lasting disappointment. However annoying the schemes of the revolutionary brotherhood may be, there are, at all events, many circumstances which, if we compare the present with previous outbreaks of 1798 or 1848, cannot fail to quiet any alarm we may feel on their account. In the first place, the Fenians are countenanced by no religious party whatever—the parson and the priest unite in denouncing them. In the second place, it is remarkable that no persons of education, of property, of wealth, or of respectability are to be found in their ranks. All men possessed of these advantages are prepared to resist any outbreak which may occur. Lastly, the honesty and courage with which the Irish juries have performed their duty gives us at once the best proof of the loyalty that prevails among the respectable classes in Ireland, and the surest grounds for confidence that the authority of the law will remain unimpaired. I need scarcely say how much is due to the judicious and energetic conduct of the Dublin Executive. They allowed the conspiracy to assume assailable dimensions before they interfered; but, at the same time, did not postpone that interference until it ceased to be amenable to the power of the law, and could only be suppressed by the power of the sword. This unhappy conspiracy has been throughout treated as a matter which should excite neither our alarm nor our contempt; and, thus treated, there can, I trust, be no reason to doubt that before long it will succumb before the triple authority of law, property, and religion.

My Lords, the second of these questions which is alluded to in Her Majesty's Speech, and which is of such great importance that I venture to approach it only with considerable diffidence, is the great constitutional question of Reform. Scarcely any one would, I think, venture to maintain that the present system of the representation of the people in Parliament is faultless. The Bill passed in 1832, beneficial as it was, was not absolutely perfect; and, moreover, since those days the condition of the middle and lower classes of society has undergone a very considerable change. Education and culture have in that period made rapid strides, and have extended their influence to numbers who before scarcely felt their effects at all. And so, my Lords, experience has shown, and all parties agree in admitting, that there are inequalities and defects of one kind or another in our present system of representation. The correction of these defects has constantly been the subject of debate; during the last fourteen years no less than four different measures for Reform have been introduced; they have successively been rejected or withdrawn, and have left the question at issue in as vague and uncertain a condition as they found it. Surely, my Lords, it is high time that measures were taken to arrive at some definite conclusion on this all-important point? Surely, it is at once below the dignity of the Legislature, and contrary to the wishes of the nation, that a question which so nearly affects the interests of all its classes should any longer remain without solution. Such a solution, however, is not to be found in abstract principles or in political theories, but in the dictates of practical sense, in wide experience, and in accurate knowledge of the particular circumstances of the case, guided by statistical information; and this information Her Majesty's Government are at the present time carefully collecting in as precise and accurate a form as the means which they have in their power will enable them to do. And this will form a solid basis for the measure, whatever be its nature, which will be brought before your Lordships' House. Guarding against the danger of subverting the existing order of things, and creating confusion in the political and mercantile interests of the Kingdom, I trust that, when the time comes, your Lordships will give your sanction and approval to some well-considered measure of Reform which may tend to correct or to modify any existing anomalies, and to add vigour and stability to the institutions of the country.

There is still one question of the most serious importance on which I will venture a few remarks, and then I will cease to trespass any further on your Lordships' patience. Our nation is at the present moment suffering from the effects of a national calamity. The cattle plague which visited this country in the middle of the last century has again re-appeared among our herds, and the fearful rapidity with which it is spreading may reasonably excite the greatest alarm among all classes of society. The rapidity of its progress, and deadliness of its effects, are but too clearly indicated by the simple facts of the case. In June there was but one spot infected by the disease; there are now more than 13,000. The number of new cases which occurred during the past week, amounting to 11,000, exceed by 1,000 those that were reported for the whole month of November. And, again, the Returns of last week show an increase of 1,400 on the week immediately preceding it. Already 120,000 animals, if the Returns can be trusted, have been attacked, and of these 90,000 have either died or been killed. These figures disclose a most alarming state of things. Medical science has hitherto been completely baffled in its investigations. In all probability it was introduced into this country by some Dutch cattle imported to the Metropolitan Market. And since it has been introduced, the subtle and the deadly effects of the poison it generates are but too well known to your Lordships. There is scarcely any agency of which it does not avail itself in its rapid extension—the clothes of the herdsmen, sheep, dogs, birds, and even the wind itself, will carry the seeds of the distemper for at least 200 yards; and, further, the eccentric course which it often follows, leaving some spots, for no apparent reason, completely free, and attacking the adjoining farms with the utmost violence, show its affinity to human epidemics and frustrate the investigations of science. As to remedies, we are no less at a loss. Each one may ascribe the recovery of the few cattle out of his herd to the cures which he himself employed. But in reality all the remedies and drugs which have hitherto been applied have proved equally ineffectual, and the hopes which were derived from the supposed affinity of the disease with small-pox seem doomed to like disappointment. Under these circumstances, several Orders in Council have been issued, empowering the local authorities to use such means as were deemed necessary to check the progress of the murrain, either by slaughtering infected animals or by stopping all cattle traffic within their district; and an Act is at the present moment prepared to give further powers to these local courts, who will, I trust, by mutual co-operation and by uniform and stringent action obviate the necessity for the interference of the central power. It has been maintained that the emergency has already demanded this interference on the part of the central power. But it must be remembered that circumstances differ in different localities, and that any uniform measure applied to the whole country would fall very differently on different places. The farmers and landowners of Cheshire and Yorkshire would welcome any measures of however a stringent and universal a character; but the twenty-three counties in this island which are as yet free from the disease, and the large towns which are still well supplied with meat, would not receive them with such unqualified approval, nor would they in any way co-operate in enforcing them; and, further, it has always been a principle in this country to leave the management of local affairs to local authorities, who are supposed to be better acquainted with the peculiar circumstances of their case, and at the same time to have a greater interest in it, and consequently the central Government has not at its disposal all that organization which exists in so many Continental States, to enable it to carry out stringently and effectually the measures it deems expedient. These are serious, if not impassable, difficulties which hitherto any uniform measure would have had to encounter. And I cannot but think that, of the two alternatives of employing central or local powers, Her Majesty's Government chose the right, and, perhaps, the only practicable one. It will remain with your Lordships to determine whether any further means are to be taken to check the rapid extension of the plague, and what the nature of these means should be—whether any uniform or partially uniform plan could be devised which could at once be carried into execution by the local authorities, and regulate their measures. There is, however, one source of consolation in this calamity—namely, that it has pleased Providence, in His mercy, to send it upon this country at a time when perhaps of all periods of its history it will be best able to bear it. It has visited us in a year of abundant harvest, and at a time when commerce is more active and productive than ever it was before, and when the revenue, notwithstanding reductions in taxation, shows a balance of between two and three millions—at a time, in fact, when this country has reached a height of prosperity almost unparalleled in the history of the world.

My Lords, my task is now accomplished. I have to the best of my power, however imperfectly that may be, touched upon the main topics of Her Majesty's Speech. All that remains for me now to do is to thank you most sincerely for the patient and indulgent hearing you have given to my remarks, and to conclude with a hope that the Address which I now have the honour of seconding may meet with your Lordships' unanimous approval. [*See Page* 33.]

THE DUKE OF RUTLAND: My Lords, I have never before risen to address your Lordships on a similar occasion, but I trust I may now be allowed to address a few observations to your Lordships on one topic referred to in the Royal Speech, in which I, in common with Her Majesty's subjects at large, take the deepest interest—I allude to the cattle plague. To that one topic I will confine my observations. Before doing so, I beg to express my hearty concurrence in all that has fallen from the Mover and Seconder of the Address in those portions of their speeches in which they dwelt upon the pleasure which it must give your Lordships to find that Her Majesty has again opened Parliament in person, and the regret with which you must have heard of the death of the late Prime Minister, and of his Majesty the King of the Belgians. The cattle plague has, as the noble Earl who seconded the Address has observed, been raging in this country for more than six months; it has gone on increasing from month to month, and we had as yet found no means of repressing its virulence. As yet there has been found no specific remedy for the disease, and men of all shades of political opinion who have given their attention to the subject seem to have arrived at the conclusion that a system of prevention not of cure is that which alone it is practicable to adopt. That being so, I should like to ask what the Government has done in the matter? The answer is that they have done next to nothing. They have done almost worse than nothing. They have, it is true, issued a number of Orders in Council; but I believe that if the money expended on their issue had been laid out in taking effective measures to stop the disease and indemnifying the unfortunate sufferers from it, the cattle plague would be a thing of the past, and your Lordships would not that evening be engaged in discussing the subject. As it was, the Orders in Council which were sent out one after the other were in themselves vague, unsatisfactory, and often contradictory of each other—they agree in nothing but in showing the evident determination of the Government to shift all responsibility, as far as possible, from their own shoulders. Sometimes it has been placed upon the magistrates in petty sessions, and sometimes upon the magistrates in quarter sessions; but always it is to be remarked that the Government will not take the responsibility upon themselves. I may be told—indeed, we have been told by the noble Lord who seconded the Address—that the difficulties of the case were almost insuperable; that although the disease had appeared in England about a century ago, yet the experience then acquired as to its action had so died out that it must really be looked on as something new, and that all that the Government could do was to institute an inquiry into the matter, and that they had done all that was in their power. I, however, venture to question the correctness of that view. In the first place, a Committee had, in 1854, been appointed by the House of Commons to take into consideration a Bill which was then pending in that House—the Cattle Diseases Prevention Bill, and by that Committee a great deal of evidence was taken, Professor Simonds, among others, being one of the witnesses who was examined. Now, he found that Professor Simonds on that occasion stated that the rinderpest was a disease perfectly well known, and that he himself had seen it prevailing in Russia and Bavaria. He, moreover, described the steps which were taken in those countries as having proved perfectly satisfactory in preventing the spread of the plague. With such evidence before the Government, how is it possible, I will ask, to contend that the rinderpest is a thing with which we were altogether unacquainted? But I will go a step further, and remind the House that in September last a Royal Commission was appointed for the purpose of investigating the disease, and that a majority of that Commission reported at the end of October, in the strongest possible manner, in favour of stopping all communication in the way of the transit of cattle throughout the country. What has the Government done in consequence? Instead of adopting the stringent measures recommended by the Commission they have thrown the responsibility on the local authorities, and have refrained from doing anything themselves.

Yet they showed by their own conduct that they were aware that the means which they declined to adopt were, in reality, the most efficacious remedy for the disease; because there are two very remarkable instances in which they did act, and acted with great rigour on that view, and with great success. One was in the case of Ireland. There was, happily, no rinderpest there, and the Government very properly stopped the importation of cattle into that country. It is perfectly true that they did not do so without hesitation. When the Home Secretary first received a deputation on the subject, he said there were insuperable difficulties in the way of stopping the importation of cattle into Ireland; but some persuasive eloquence used by the Irish Members had the effect of altering the determination of the Government, and the insuperable difficulty was swept away. But to go from the West to the North, I find another remarkable case of action by the Government, and it is incidentally alluded to in the Royal Speech—I allude to the case of Argyllshire. There was no rinderpest there; and there the Government again took very vigorous steps. So that he was, he thought, justified in saying that they could not plead ignorance on the subject as an excuse for the course which they had pursued in this country, or for saying they had done all that it was possible for them to do. I have ventured to make these observations to your Lordships because I hope that, even now, at that late hour, we may be able to induce Her Majesty's Government to rouse from their lethargy and do what I conceive to be their duty—namely, to stop all movement of cattle in England, and also all importation of cattle into England from abroad. The other day I attended a large meeting in my own county on that subject, and I noticed that the passage in an able speech, made by a gentleman present, which was most applauded, was that in which the speaker said, "We must put our shoulders to the wheel, and get rid of the rinderpest; or, if we cannot do that, we must get rid of the Ministry."

THE DUKE OF RICHMOND: I ask your Lordships' indulgence for a short time while I allude to a paragraph in the Speech from the Throne on a subject in which I take the deepest interest. I am happy to find that, owing to the very able manner in which the noble Duke has addressed you, it is unnecessary for me to occupy much of your time. Feeling, however, as I do, that the conduct of Her Majesty's Government before and since the alarming spread of this cattle plague is open to grave censure, I am unwilling, on this occasion, to remain altogether silent. In the paragraphs in the Speech delivered by Her Majesty which allude to the cattle plague, I confess that I think the wording of the last part of the first paragraph is somewhat extraordinary. The passage to which I refer is that in which Her Majesty says—

> "I trust that by the precautions suggested by experience and by the Divine blessing on the means which are now being employed its further extension may be arrested."

I venture to think that it would have been a preferable mode of expressing the sentiment if that part of the Speech in which Her Majesty is made to hope that "the Divine blessing on the means which are now being employed may arrest the further extension of the cattle plague" had preceded, instead of coming after, the mention of "the precautions suggested by experience." The next paragraph proceeds to state that—

> "The Orders that have been made by the Lords of the Privy Council by virtue of the powers vested in them by law, with a view to prevent the spreading of this disease, will be laid before you.'

Now, I would venture to call the attention of the noble Earl opposite (Earl Granville) to this paragraph, and to ask whether it is perfectly certain that the Government have acted in strict accordance with the law? There is an old maxim *delegatus delegari non potest.* I believe that the action of the Privy Council has been taken under the 11 & 12 *Vict.* c. 107, s. 4. By that section the Privy Council are empowered to make such orders and regulations as to them may seem necessary for the purpose of prohibiting the removal of cattle, and so on; and, in another part—

> "To make any other order and regulation for the purpose of giving effect to the Act; to revoke or annul any order when so made, and that such orders should have the like effect as if they had been inserted in the Act."

Now, under this Act, the Privy Council had power to make such Orders as they pleased; but I doubt whether they had power to delegate to another body those powers which the Act of Parliament conferred upon them. I think that in dealing with these provisions of the law the Government have been unfortunate. I agree with my noble Friend, the Government were in one of two difficulties. Either the Government were perfectly cognizant of these matters or they were not. Now, I think they cannot plead ignorance, for many reasons which I will not weary your Lordships by repeating. They have been already referred to by my noble Friend. Professor Simonds, in his evidence before the Royal Commission, stated that he made his visit to Galicia in 1857 in consequence of information which had reached the Government from Consuls abroad, especially at Lubeck, of the spread of the cattle disease at Luxembourg, and of its steady advance towards those Continental ports from whence we were importing cattle. This was in 1857. I would venture to call the attention of your Lordships to the opinion of Professor Simonds, after having satisfied himself that this disease that broke out in England was identical with that in Galicia. He says—

> "In July, 1857, I ascertained that the disease had appeared in England, and the result was the present Order of the Privy Council."

He was then asked what was the effect of the first Order in Council, and I call the noble Earl's particular attention to this, for at first I really thought it was a misprint—he was asked what was the effect of the first Order in Council; and his answer was—

> "I think the effect was to spread the disease more quickly than it would have spread otherwise."

The Government have been urged throughout to take the responsibility upon themselves. It is a responsibility that belongs to the Executive of this country; it is what they have no right to shirk. But what was the course which the Government took? In the first place, they issued an Order in Council empowering magistrates in petty sessions to stop traffic in cattle at markets and fairs in their petty sessional division; and what is the result? The magistrates in petty sessions did stop the traffic in cattle at markets and fairs, but in no two petty sessional divisions had the same orders been issued. Nay, I know an instance where the magistrates in petty sessions in the county put a stop to all fairs and markets in their petty sessional division; but the mayors of two boroughs in the same division declined to do so. And we had this state of things, which was very inconvenient, to say the least—that the county markets were closed by order of the petty sessions, while the markets in the towns were open by order of the mayors. The Secretary of State was applied to in this difficulty, and he wrote very politely to the mayors of those boroughs, calling attention to the fact, and the mayors replied—no doubt with equal politeness—declining to make any alteration. That is a state of things which, if the Government had acted properly, never could have arisen. What was the next Order? The Privy Council empowered the magistrates in quarter sessions to put a stop to cattle traffic. In other words, they would not incur the odium, if odium there were, of doing it themselves. They shrank from the responsibility which belonged to them as the Executive, and placed that responsibility on the magistrates of the county. My Lords, I will not trespass longer on your time with reference to this subject; but having felt great interest in it, I was unwilling to be altogether silent. There is one other topic introduced into Her Majesty's Speech on a subject in which I was more or less mixed up, and on which I wish to make a few observations. I allude to the paragraph in which we read—

> "A Bill will be submitted to you founded on the Report of the Royal Commission on the subject of Capital Punishment, which I have directed to be laid before you."

I think I am speaking the sentiments of the majority of my brother Commissioners when I express our very great annoyance that the Report of that Commission, before it was signed by the Commissioners, and before it had been presented to Her Majesty, should have appeared in the columns of *The Morning Star.* I consider that to be a breach of confidence towards the Members of the Commission, and a gross want of respect to the Sovereign on the Throne.

LORD FEVERSHAM said: I desire to make a few observations on the cattle disease, because I also am dissatisfied with the paragraphs of the Speech which refer to that subject, and it is my intention to propose an Amendment to the Address on that point. Your Lordships are well aware of the circumstances attending this unparalleled and destructive malady. It first appeared in the month of June in the metropolis, then it extended to the suburbs of London, and last it became diffused through many of the counties, until it stalked unchecked through the length and breadth of the vallies, and has climbed unsubdued to the summit of the hills, and there are few places in the kingdom which have wholly escaped its ravages.

> "Parva metu primò, mox sese attollit in auras,
> Ingrediturque solo, et caput inter nubila condit."

The question your Lordships have now to consider is whether the course taken by Her Majesty's Government has been such as to meet the magnitude of the evil and the exigencies of the case. Was it adequate to the occasion? Public opinion has answered this question in the negative. Great dissatisfaction has been engendered; the action of the Government has been regarded with general disappointment and disapprobation; and distrust has taken the place of confidence and assurance. It cannot be said that Her Majesty's Ministers have been taken by surprise, for there were sufficient indications from other quarters of the great importance of the subject, and of the peril with which it is attended. Your Lordships have been told that the Government had acted in one respect with great vigour. But it is well known that the Government at first refused to comply with the memorial from Irish landowners and farmers that the importation of cattle into Ireland should be stopped. The memorialists were told that there were insuperable obstacles in the way of granting this request. But when the representatives of the Irish people took up the question and forwarded a strong remonstrance to the Government on the subject, these insuperable difficulties were at once overcome; the importation of cattle into Ireland was prohibited; and the country had, in consequence, enjoyed complete immunity from the ravages of the disease. What was the course taken with respect to the disease by the French Government? On the 5th of September the French Minister for Agriculture addressed a letter to the Emperor, recommending the most stringent measures to prevent the importation of the disease into the ports of France, that the introduction of foreign cattle from the sea coast and from the northern and eastern frontiers should be prohibited. The Emperor of the French at once acted on those suggestions. The Belgian Government pursued an analagous course, and the consequence was—as it had been in Ireland—that those two countries had to a large extent escaped the ravages of the plague. Would that the Government of this country had acted with the same energy and decision. Her Majesty's Government, in the first instance, gave the justices in petty sessions power and authority to take certain steps to stop markets and fairs and appoint inspectors. Nine out of ten of these inspectors, however, had never seen the disease; yet they had the power of destroying every animal they suspected, although they were often unable to distinguish the true rinderpest from pleuro-pneumonia or other inflammatory disorders to which cattle are liable. After the disease had raged for three months the Government determined to appoint a Royal Commission. It contained among its members men of great eminence and talent, of practical knowledge and scientific research, who devoted a large portion of their time and labour to the investigation of the subject, collected some important facts, and on the 31st of October issued a Report, but in consequence of not being unanimous, probably, their recommendations were set at naught. The time of year had now arrived when the principal agricultural societies of the country are accustomed to hold their meetings in London. The Council of the Royal Agricultural Society of England took the whole matter into consideration, they drew up most important resolutions, and a deputation in December last waited upon the noble Earl the President of the Council and the Secretary of State for the Home Department. They made recommendations which were endorsed by other agricultural bodies, but which the Government declined to adopt. At length a great change came over the Government, and they transferred the powers conferred upon the justices in petty sessions to the justices in quarter sessions. This change of plan clothed the question with fresh difficulties, ambiguities, and perplexities. It made confusion worse confounded, for the various quarter sessions issued different orders, some more stringent than others, which have caused great inconvenience, and the inhabitants of several districts not being able to comprehend why these discrepancies and incongruities should exist, applied to the magistrates for information; but the explanation they received not being satisfactory, they still entertain hopes that the Government, even at the eleventh hour, are prepared to recommend some definite course of action for the guidance of the whole country, in lieu of leaving the matter in the hands of local authorities, whose views and opinions are certain to differ, and whose decisions could not possibly be expected to be susceptible of amalgamation or concurrence. It is not surprising that the subject of indemnity and compensation for the losses sustained should have been mooted, for in many parts of the country these losses have been most heavily felt. Although I am aware this is not the time or place to discuss this point, I will venture to say if it was the determination of the Government not to grant any remuneration or indemnity out of the public funds, it was the more incumbent on them to adopt from the first every precaution, to exhaust every effort, and to assume the whole responsibility of dealing vigorously with the subject in lieu of telling a deputation to wait and see. If a man's house is on fire he does not wait and see whether it will be burnt down before he takes steps to extinguish the flames. Delays were said to be dangerous, and that was particularly true in the present case. The noble Lord concluded by moving his Amendment.

Amendment proposed to be made to the Address by inserting after the words ("so deeply affecting the interests of my people")

"We beg Leave submissively to add our deep Regret that upon this important Subject the Government did not from the first assume the Responsibility of issuing an Order for Uniformity of Action throughout the Country, as essential to avert the Progress and to mitigate the Severity of so virulent, appalling, and destructive a Malady."

THE EARL OF ESSEX said, he must express his concurrence in almost all that had fallen from the noble Lord who had just sat down. In his opinion, Her Majesty's Government had shown the greatest want of vigour throughout the whole of their proceedings on this subject. He was quite aware how unwilling Governments were to undertake responsibility, and to go out of the track of routine; but extraordinary crises called for extraordinary action and vigour, and he must express his conviction that Her Majesty's Government had shown the greatest possible lack both of courage and action in this matter. If ever there was a case in which vigour and uniformity of action were required it was this; but how was it possible to secure either when the Privy Council delegated to the petty sessions, or quarter sessions, the powers they ought to have exercised themselves? He was perfectly well aware that if the passage of cattle from place to place within the country had been stopped six months ago, great dissatisfaction would have arisen among the farmers; but the case was now altered. The people were all strongly impressed with the absolute necessity of strong measures, and would, of course, submit to their imposition. In every newspaper, provincial as well as metropolitan, letters from agriculturists appeared calling upon the Government to exercise its authority, for the suppression of the disease; and the same demand was made by speakers at agricultural meetings throughout the country. In a few weeks hence it would be extremely difficult to take the necessary steps. At the present time the cattle were penned up in the farmyards; but what would be the consequence when they were turned adrift to feed in the fields, or driven to market for sale? The House would perceive at once how greatly the chances of infection would be increased. He abjured Her Majesty's Government to take such steps as would entirely put a stop to all movement of cattle. He did not know whether he should be in order in asking the question, but if he were, he would ask what Her Majesty's Government were proposing to do? He was sure the answer would be listened to with the greatest interest, and received by the community at large with no little dismay if the hope he had ventured to express were not favourably responded to.

THE EARL OF WINCHILSEA said, he perfectly agreed with the noble Earl that Her Majesty's Government had done little or nothing; but he was disposed to go still further, and to say that in the little they had done they had exceeded their authority; and they had done that which they had no more right to do than they had to put their hands into any of their Lordships' pockets and take out what they pleased. The Act of 1848 was sufficiently strong in its provisions. It gave the Government power with reference to persons bringing diseased beasts into any fair or market—it gave them power to stop the fairs and markets altogether; and it gave them control over all the highways and thoroughfares of the country. But the first thing they did was, not to exercise those powers, but to send inspectors on to private premises, with power to break open doors if entrance was refused them, those inspectors being authorized to kill any cattle which they might consider to be infected; and they directed penalties to be inflicted upon the proprietors of cattle who objected to these proceedings. Now he believed that those assumed powers were wholly illegal, and that when the inspectors broke open doors they were guilty of burglary —at any rate he thought that in such cases the owner would have an action at common law against the inspector, or ultimately against the Crown or the country wherever a beast had been killed contrary to the will of the proprietor. Perhaps the noble Lords opposite would come down to the House with a Bill of Indemnity. If they did, it would, no doubt, be very politely received; but that this or the other House would pass such a measure, unless it contained some restitution to the owners of the cattle which had been killed, he could scarcely bring himself to believe. He thought the Government owed the agriculturists some compensation for having brought in the disease; for he maintained that it had been introduced by the laches of the Government as plainly as if they had brought in the plague in a bundle of old clothes from Mecca. At any rate they had allowed the importation of beasts from Hungary and Russia, where it was notorious that cattle were subject to a disease analogous to the plague. What the Government should have done was only to have allowed the importation of foreign beasts into particular ports, where inspectors might have been stationed, and where the beasts might have been got into a proper state of health before they were allowed to go further into the country. There was nothing, however, to prevent the admission of diseased cattle at this very moment. The plague came from Europe, and how did they know that new cases did not arrive every week? During the three months of winter they might have prevented the movement of stock; but the 1st of May was drawing near, and then a penalty of £10,000 would not prevent the farmers from turning their cattle out to grass—in fact, they could not help themselves; it was a positive necessity, for the beasts must otherwise starve. It was very well known that even now the Order in Council was not strictly obeyed; for, on all hands, as their Lordships must have seen, cattle were driven along the highways with impunity. If Her Majesty's Government were in doubt as to what they should do, let them study *The Gentleman's Magazine* for 1745. George the Second's was not considered a very liberal Government, but his Government paid half the value of each beast that was killed to the owner. He invited the Government of to-day to be as liberal as the Government of 1745. His noble Friend the Secretary of State for the War Department had certainly shown a spirit of liberality. He had issued a remarkable document announcing that, in consequence of the sufferings of the Yeomanry Cavalry, the Government would not press for the tax on their horses. This tax would amount to about £60,000 he understood. That was as if their Lordships were to say that because there happened to be smallpox in a few cottages on their estates they would give away no beef at Christmas. It seemed to him that the £60,000 which would be saved by not calling out the Yeomanry, might very well go to form the nucleus of an insurance fund to compensate the farmers for the loss they had sustained by the neglect of the Government in allowing this abominable disease to come into the country. The Government had, in fact, made them a present not only of this disease, but also of pleuro-pneumonia, and of foot-and-mouth disease, by permitting the introduction of foreign beasts without proper precautions. As he had already said, the Government had not put in force the enormous powers given to the Privy Council by the Act—the provisions of which seemed to have been passed by some autocratic body rather than by an English Parliament—and they had done that which they had no right whatever to do. If one of their Lordships instructed his steward to buy fifty beasts, and the man went and bought a hundred and fifty horses, no regard for his character, or for his wife and family, would restrain that noble Lord from dismissing him. Whether Her Majesty would take that course with her present servants he could not tell; but he was afraid they were too strongly backed up by another House. He must, however, say that no Gentlemen were ever placed—if he might use the term in a Parliamentary sense—in so ignominious a position as that occupied by the noble Lords opposite.

Earl GRANVILLE: My Lords, after the course this discussion has taken, I think it will be better if I at once furnish your Lordships with some information in reply to the various speeches made, partly on the other side and partly on this side of the House, all, however, in a great degree condemnatory of the conduct of the Government, with regard to this great disaster, the cattle plague. I certainly am not surprised, considering the length of time this disaster has continued, and the fact that it is in most parts of the country rather on the increase than on the decrease, that noble Lords should express themselves somewhat warmly upon the subject. I doubt, however, whether the noble Earl who has just sat down (the Earl of Winchilsea) is justified in characterizing the Government as burglars, and the actual importers of the cattle plague into this country, in so light and cheery a manner, scarcely befitting the gravity of the subject to which he was referring. The noble Duke who spoke fourth in the debate (the Duke of Richmond) and the noble Earl (the Earl of Winchilsea) have impugned the legality of the course pursued by the Government, and they have expressed their belief that the Government had no right to give power to the local authorities to issue orders. But the fact is that the local authorities did not issue orders—they only received authority to carry into effect, by giving notices, the general Order of the Privy Council. I cannot believe that the noble Lord who has proposed an Amendment (Lord Feversham) seriously wishes to press it upon the consideration of your Lordships, whatever may be his opinion as to the course pursued by the Government in not assuming from the first the responsibility of issuing an Order for a uniform system throughout the country. If he does press the Amendment he certainly will not secure the vote of the noble Earl behind me (the Earl of Essex), who confesses that measures which would be welcomed now would not have been regarded with favour six months since. It would have been perfectly impossible for the Government to put a stop to the importation of foreign cattle and the movement of cattle in the United Kingdom at the commencement of July last. The accusations made by the noble Duke (the Duke of Rutland) against the Government are not consistent, and one or the other of them must necessarily be unfounded. He charges Her Majesty's Government with having done nothing, and with having done worse than nothing; one of these charges, if established, must disprove the other. Her Majesty's Government knew nothing concerning the existence of the disease until the 10th of July, and cases were reported in Kent on the 14th of July, in Sussex on the 18th, and in Hampshire on the 21st of the same month. Now, allowing only seven days for the incubation of the disease, the contagion must have existed in Kent on the 7th and in Sussex on the 11th—the day following that on which the Government heard for the first time of the existence of the disease in the country; so that no uniform system could have excluded the plague, even if the Government could have accepted and acted upon one. I will refer presently to the question whether the conduct of the Government has been judicious; but in answer to the charge that we have done nothing, I claim for the Government and for the officers concerned in the subject very great activity in the matter. On the afternoon of the 10th of July, Professor Simonds gave information that he had reason to believe that the rinderpest existed in the city in some few cases. I was informed of the matter that afternoon, and I gave immediate orders that Professor Simonds should at once examine into the nature and causes of the disease, and report upon the cases which were said to have occurred. Orders were also particularly given to the police, who assisted in the investigation. On the 17th the Professor reported. We received his letter on the 18th, and we communicated that day with the Home Office. They replied, stating that under the Act alluded to an Order in Council could be issued; and we gave urgent instructions the same day to prepare the Order which was subsequently passed on the 24th. The attention of the agricultural portion of the community had meanwhile been directed on the 12th by Professor Simonds to the existence of the disease, and between that time and the 24th, when the first Order was passed, there were consultations of every kind. It will, however, weary your Lordships if I go into the details of every matter which engaged the attention of the Privy Council. I may mention one fact with regard to the illustrious statesman whose decease has been lamented on both sides of the House—that he paid great attention to the subject to within a week of his death; and, as a singular instance of the activity of his mind, I may add that a very short time before his death he wrote a clear and lucid memorandum on the scientific part of the question. There has been an excellent pamphlet written by Dr. Lyon Playfair, one of the Commissioners, and in that pamphlet he throws considerable blame on the Government; but he distinctly says that up to the time of the

Report of the Commission the action of the Government was prompt and decidedly in advance of public opinion, and I think that there cannot possibly be a doubt as to the truth of that statement. He says, as noble Lords have said to-day, that subsequent to the publication of the Report of the Commissioners, we lagged behind public opinion; and this charge may be true to a certain extent. But when public opinion was so divided upon the nature of the cattle plague and the manner of dealing with it, either by way of prevention or cure, it is not any strong accusation against the Government that they did not immediately act upon the many conflicting suggestions which might seem from time to time to receive the public approval. It was quite true that an able and competent Commission was appointed, and that a Report was issued by them at the end of October. It was two or three weeks before we acted upon the Report, and for this reason—that Commission was not unanimous. There are three other Reports appended by other members of the Commission, each of them not only different, but written with marked ability. It was, therefore, impossible for the Government to take action until the evidence upon which those Reports were framed had been printed. It has been suggested that we have endeavoured to get rid of all odium, that we have shrunk from all responsibility which belonged to us as the Executive by throwing it upon the local magistrates. But I may say that there has been no timidity in this matter on the part of the Government. I believe the duty of the Government is to do that which they believe to be right, and especially to avoid doing that which they feel they cannot efficiently and firmly carry out. With regard to an enforced uniformity of action, each noble Lord who has spoken upon the subject has referred to the different modes in which the various Orders of the Privy Council have been carried out in the several counties of the kingdom. This diversity of practice I believe to be important evidence as to whether it is possible for the central authority beneficially to enforce uniformity and at once to establish an iron rule, and to carry it out in the different districts. It is said by the noble Duke (the Duke of Rutland), that foreign countries have successfully encountered the disease, and that it is disgraceful that we should have failed when Prussia and France have succeeded. I must ask the noble Duke to consider the great difference between this country and Prussia and France. I may mention that Austria entirely failed in stamping the disease out; while Prussia and France, dealing with it boldly, were eminently successful. It has been said that a week of the rule of Louis Napoleon was the only thing which could stop the progress of the disease in this country. But it must not be forgotten that Louis Napoleon possesses advantages not possessed by the constitutional Government of this country, it is impossible to carry out here the rule which is so successful abroad. The central power is so paramount in France that a man cannot cut down wood on his own estate without first communicating with the Minister of the Interior. Many persons, whether Legitimists, Orleanists, or Imperialists, complain that the action of local government is paralyzed by the very centralized system which has not been introduced by the Emperor of the French in particular, but which has been the ordinary system of the French Government for many years. But the consequence of that centralized system is that the organization is perfect. Government has its own prefects and under-prefects; its own mayors appointed by itself, Gens d'Armes and Gardes-Champêtres upon every field, the whole forming the most powerful Government that can be. In the same way in Prussia a system somewhat similar is adopted. The people are accustomed to it and like it, but every little matter forms the object of the solicitude of Government. If you are going down a hill in a light carriage you are obliged to put down the drag in a certain place, and to take it up at another. That system may be regarded in that country as a very perfect one, but would it be endured here for a day? Is it impossible for this question to be dealt with, and successfully dealt with, by our local governments? You have counties in England where the methods of encountering the disease have been perfectly successful, and yet where it would have been impossible for the Government to have successfully attempted action. Thus, in Aberdeenshire the local authorities have been able to deal with it. I am sorry to hear that the disease has once or twice attacked that county. It was quite curious, in one of the last cases, to see how nine or ten gentlemen, without any compulsory laws, took upon themselves to subscribe the necessary funds, and, by purchasing and killing the diseased cattle, entirely to stamp it out in a way which it would be impossible for a central Government to attempt. But the noble Duke complains of the different systems adopted in different counties. Now, the arrangements in the North Riding of Yorkshire are different from those in the West Riding, and I have seen a letter from the chairman of the committee of the latter division of the county, in which he gives the strongest possible opinion that the notion of sending the butcher to the ox would be most injurious, and would be most likely to propagate the disease, and to enable the farmer and the butcher to palm off bad meat upon the public. With respect to giving directions to the local authorities in boroughs, there is the case of Liverpool, where a difficulty arose from the market being out of the district of the borough; but in that case the disputing parties met, and I believe that the difficulty has been compromised. With regard to public opinion, I do not know how far public opinion goes in reference to this matter, but the debates in Parliament will be the best test of it. It has been said that the Government should have enforced uniform action from the beginning. Now in order to bring the question of uniformity of action before the justices, a circular was sent to the chairmen of quarter sessions on the 12th of October, asking them to give suggestions for the consideration of the Government; and in only two instances—in that of Northumberland and Bedfordshire—was a uniform course demanded, the general request being that the local authorities should have power to stop the removal of infected beasts and of manure. My Lords, I think it is some indication of the great difficulty of dealing with this subject, and of the great changes which have taken place in public opinion with respect to it, that there are such great differences of opinion between the very competent men who act on the Commission. I am told—I suppose I am at liberty to mention it—that another Report is already agreed to by the Commissioners appointed to consider the subject, which will contain most valuable information, but which will not offer any further suggestions as to the course which should be taken by Government—I suppose in consequence of our not having attended to their previous recommendations. The noble Lord (the Earl of Essex) has asked me what the Government intend doing in the matter. My reply is that at the earliest possible moment—on Monday next, I believe—it is intended that a Bill shall be introduced into the other House to make some alterations in the law, and making various changes which we think will be useful. I am quite sure that any Bill of this sort will be met in no party spirit, but will be treated as a measure to be adopted for the advantage of the country. I am sure that your Lordships will excuse my not anticipating the introduction of that Bill by making any statement as to its provisions.

The Earl of CARNARVON: My Lords, I watched for some time for some Member of the Government to rise to address your Lordships on the subject to which the noble Earl who has last spoken has just referred, and I am glad that at last some information has been presented to us. My noble Friend, however, is so successful in making the "worse" cause appear the "better," that I cannot refrain from offering a few remarks on his speech. Every noble Lord who has spoken, whether on this or the other side of the House, has agreed in condemning the course which Her Majesty's Government have taken on this subject. For my own part I am afraid I must endorse their opinions, and perhaps even go beyond what they have said; for while not going so far as to say that the Government are responsible for the introduction of this disease, I do say they are responsible for its spread and extension throughout the country. The noble Earl endeavoured to vindicate the Government on two points. He said that it would have been impossible for the Government to have acted differently in the months of July and August, when the disease first became known; and he also said it was impossible to establish uniformity of action throughout the country. Now, I will not take up the case at that early date; but I will show to your Lordships that a few months later the Government might and ought to have acted. There were then, at least, several alternatives open to them, the adoption of any of which would have brought the question to a more or less successful issue. When once the Government were made aware of the appalling state of circumstances revealed, they ought to have called Parliament together and taken its opinion on the matter. Failing Parliament being called together, they might have acted under those powers which it was thought were of sufficient force to meet the emergency; or, lastly, if they were not disposed to exercise their own responsibility, they should, in justice and pity to the country, have enabled the local bodies, to whom they had transferred those responsibilities, to act with effect. But in none of these points have the Government done their duty. The Report of the Commissioners was published in the middle of October, and when was Parliament called together? On the 6th of February—several days later than for years it had been customary to be assembled. This is trifling with the question. It is a mockery of the great interests which are suffering and almost perishing at this moment. But putting aside the question of calling together Parliament, suppose the Government had acted under the powers which belonged to them. The noble Earl (Earl Granville) says it was impossible for them to act as desired, because we had not a centralized Government; and the noble Earl quoted the examples of Austria, France, and Prussia, to show the power of action of centralized Governments. France and Austria might have so acted; but was Belgium a centralized Government? Was it necessary to have an autocratic Government in order to close the ports of Ireland? Was it necessary to have an autocracy in order to keep the county of Aberdeen free from disease? Why, the great agricultural societies have been earnestly pressing the Government to take action in this matter. But was it not in their power to stop or regulate the importation of diseased or doubtful cattle from infected countries? You know that importation had brought the disease; and, for anything you know, importation might be extending it. Yet importation was allowed to go on. Again, why was the Metropolitan Market allowed to remain open—that market which has been the curse of the country, which was not only itself an open centre of infection, but was distributing the disease in every direction. Again, you had inspection in your own hands—what did you do in that respect? Inspectors were appointed under such a system that inspection either resulted in the indiscriminate slaughter of every beast attacked, or became a mere idle form and ceremony. Inspectors were required to pass cattle at night, when they could not see them, and when it was absolutely impossible they could perform their duties. On this very ground we had at the same time inspectors appointed by the Privy Council Office, by the Metropolitan Market's Committee, and by the Middlesex magistrates. Some, too, of those inspectors were utterly ignorant of their duties. Some were tradesmen, shoemakers, even butchers; and so, partly from ignorance, partly from jealousy, partly from conflicting powers, facilities were given for the extension of the disease. A very moderate amount of foresight and regulation would have disposed of all this difficulty. But I go farther. I ask why did not the Government take measures to stimulate the ingenuity of private individuals by offering rewards for the discovery of a remedy for the disease? When, a few weeks ago, vaccination was thought to be one of the suitable remedies, there was a complete deficiency even of vaccine matter in London. I fully admit that the whole question of insurance is surrounded by the greatest possible difficulty; but we had at least a right to expect that in a letter of the Chancellor of the Exchequer, published in the autumn, incitements should not be held out to the illusory schemes of local insurances which have failed, and which will in nine cases out of ten fail. But if the Government were not disposed to act in this matter, they were at least bound to give sufficient powers to the local authorities to enable them to act. What did they do? They issued Orders in Council, but those Orders in Council are so contradictory and confused as to be of no use whatever. I would call attention to two of these Orders. One is dated the 23rd of November, which consolidated all previous Orders. It vested the powers henceforth in the hands of petty sessions. But, as every child might know, this immediately led to an extraordinary difference of action throughout the country, each bench acting on a separate principle, and such was the confusion introduced that it became impossible to know under what law any county, or even any part of a county, was governed. But the Government began to find out their mistake, and so they passed another Order, in which they rushed from one extreme to another—from the petty sessions to quarter sessions. But quarter sessions are a very unwieldly body, and there is the greatest difficulty in getting them to work. They are very well calculated to discuss business once in three months, but they are wholly unfit to deal with sudden emergencies. Without powers of delegation the greatest difficulty was experienced in working the Orders in Council, the meetings being adjourned in many cases from fortnight to fortnight, or *die in diem.* But the Government could not even draw up the Order without the grossest blunders. This Order in Council was dated the 3rd of January. The quarter sessions met without exception on the 1st or 2nd of January, and consequently, though they might discuss, they could not pass the resolutions, and gentlemen, after attending the quarter sessions from different parts, were obliged to separate without doing anything in respect to these resolutions. Was it fair for the Government to throw the country into all this confusion, and cause this unnecessary grievance? Was there no almanack in any department of the Privy Council to inform the noble Earl that by Act of Parliament all quarter sessions are to be held on a certain day, or was the Home Secretary really ignorant of the facts, or was he really indifferent to the whole matter? I should like to ask the Government the reason of the very unsatisfactory nature of these proceedings. The noble Earl says that a memorial in October was sent up to the Privy Council Office from one court of quarter sessions, pointing out the great danger attending the transmission of hides and manure. If there is one thing more than another that is dangerous and deleterious it is the free transmission of hides and manures, but the Government did not deal with it until the 20th of January last; and this, of which in October the noble Earl was warned as dangerous, was left utterly uncared for till that 20th of January. I will now ask the House to consider a question which will be very often asked—namely, "Where are we at this moment—what is the position in which we now stand?" Ever since the adoption of free trade the agriculture of the country has been mainly dependent on the breeding of stock; and can any reasonable man deny that in the destruction of stock a very great difficulty is imposed upon the farmer of England to maintain his solvency and to pay his way? Their cattle are perishing at the rate of 10,000 a week, and that rate is progressing under such circumstances that there is a great probability that our agriculture will be brought to an entire stop; but if it do not disappear the loss of stock which has been already sustained, and is being now sustained, must so dislocate the whole circle and machinery of agriculture as in a short time to bring it to a standstill. A noble Lord who spoke earlier in the evening (the Earl of Essex), pointed out very truly that this is a most critical time of the year. We shall have in a month or six weeks all the cattle now under cover turned out. At Lady Day there will be changes in tenancies, sales of produce, breeding and grazing difficulties, in fact, all sorts of movements and re-arrangements. Unless between this and then we succeed in striking down this disease we shall find the landlords on the eve of bankruptcy, and the tenants on the eve of ruin. I cannot conceive any calamity greater than that which at this moment threatens to overwhelm us; and what has Her Majesty's Government done to avert it? They have done absolutely nothing—nothing—nothing. I listened to all that fell from the noble Earl with great attention, but I could not trace the faintest indication in it of one single measure of practical utility. I do not pretend to know what were the motives of Her Majesty's Government, but I will state to the House what people in the country say. When they did not call Parliament together in the autumn, people say that the Government knew its own insecure and shaky position, and feared to meet Parliament. When they did not act themselves and use the power they were already possessed of, but threw the responsibility upon others, people say they feared the clamour which might arise in the great towns at any disturbance of the meat market—that they dreaded the displeasure of the consumer rather than remembered the duty of considering what were the best interests of the whole community. I will not say myself that these conjectures are true; but I think it is perfectly clear from what has taken place that the Government were exceedingly ignorant. I do entreat them to bring forward at once, and without delay, some measures which will meet the difficulty. There are three things to be done. First of all we have to deal with the question of importation. Depend upon it, the agriculturists will never stand having a drawn sword continually suspended over their heads in the shape of imported disease always ready to descend upon them. Importation must, therefore, either be regulated, or it must be stopped. Secondly, something must be done in the next few weeks to smite down the disease, and to bring it within manageable compass. God knows whether that is now possible or not, but it is the bounden duty of the Government to try. Thirdly, when the disease is checked some carefully constructed and efficient machinery must be devised by which we may eradicate it as often and as fast as it appears again; for I fear it will live in the country for years and years before it finally disappears. I was glad to hear the noble Earl say the Government would next week propose some Bill on this question; but I should have been much better pleased if he had at once laid his proposition on the table. Every single hour of delay swells the mischief in an enormous degree, and I hope to have before the close of the debate some more satisfactory assurance on this point.

THE MARQUESS OF ABERCORN: My Lords, in the few observations I am about to make, I shall confine myself to one point only. I agree with the noble Mover and Seconder of the Address in their remarks upon the mischievous conspiracy which has unfortunately broken out in Ireland; and I think with them, that the measures adopted by the Lord Lieutenant have been marked with vigour and good sense. The dignified demeanour of the Judges, the courage and discernment displayed by the juries under circumstances of no ordinary difficulty, the prudent and courteous attitude of the counsel for the prosecution—and, indeed, for the defence also—have all tended to increase the dignity of the law in Ireland. But while I do not find fault, and feel rather inclined to give praise for what has happened since the issue of the Special Commission, I think the late Government have acted most unwisely in delaying these prosecutions so long. It is hardly fair to charge upon the present Government of Ireland the delays of its predecessor; but the Home Government is substantially the same, and therefore we can hardly acquit them altogether. The delay which postponed these prosecutions until after the general election was most unwise and most unfortunate. It may be invidious to inquire too closely what so suddenly aroused the Government from its slumbers to a sense of danger at the exact moment when the votes of the electors were all recorded at the general election; but, whatever the cause, the Government has incurred a deep responsibility for allowing the seeds of sedition to be sown broadcast before their eyes. With your permission, my Lords, I will state a few facts respecting this Fenian conspiracy, which are not generally known. In 1858-9 the Government of the noble Earl who sits near me (the Earl of Derby) had received information of the existence of the Phœnix Society, evidently the precursor and nursery of Fenianism. Some ten or twelve persons were then arrested, and one of them, named Sullivan, was sentenced to ten years' penal servitude. The others, owing to some informality in their trials, were re-committed, the presiding Judge thinking the evidence so strong against them that he refused to admit them to bail. In the interval before the next trial my noble Friend retired from office, and was succeeded by the late Government. The first act of Mr. Cardwell —who was appointed Secretary for Ireland under the new Administration—was to liberate all those persons, on the condition that they should plead guilty and be liberated on their recognizances, holding them liable at any time to be called up for judgment. This was done; but these prisoners made it a condition, before they would accept these terms, that their colleague, who had been sentenced to ten years' penal servitude, should also be released on the same terms. Of these men, three were named Donovan, Rosser, and Mulghany. What, I ask, has been the result of that misplaced leniency? Why, that the very men I have mentioned have been tried again and sentenced to ten years' penal servitude by the Commission which has recently held its sittings in Ireland, for the aggravated offence of which they have since been guilty; the Government having, with what I cannot help regarding as a total want of judgment, permitted them to remain in Dublin during the last four or five years hatching their plots, instead of having, as they might have done, according to the terms imposed in 1859, called them up for judgment. Again, the head of the conspirators — Shake — otherwise the notorious Stephens, who had absconded to avoid being convicted by my noble Friend's Government, was, notwithstanding that the Government were in possession of evidence in connection with him, which ought to have made them cautious, allowed to return to Ireland, and to lay the foundation of all those machinations which have almost broken out into open insurrection; while Donovan became the editor of *The Irish People*, and was allowed to propagate the most violent and seditious doctrines, although the Government had it in their power to deal with him, as I have just stated, at any moment. I blame, too, the Government for sanctioning such a demonstration as that of the funeral of M'Manus, one of the rebels in 1848, which furnished the occasion for the making of seditious speeches, and the display of colours and badges which were well known to be of a Fenian character. There cannot, I think, be the slightest doubt that such laxity of conduct as that to which I advert has induced the Fenians to imagine that the Government either did not care to interfere with their proceedings, or dared not interpose their authority. As to the ultimate result of that conspiracy, although I cannot absolve the Government from the charge of having by their remissness allowed it to grow to its present height, and although it has dealt a blow to the commercial credit, the security and the advancement of Ireland, which all the conciliatory measures which the present or any other Ministry may pass will fail for some time to come to obviate, yet I have no ultimate apprehension of the result, for I feel satisfied there is in that country an amount of loyalty by which the evil will be successfully combated.

EARL GREY: My Lords, I shall not follow the noble Earl who has just sat down into the subject with which he has dealt, not because I do not think it of the highest importance, but because I hope it will, on some future occasion, be brought seriously under our notice by Her Majesty's Government. There is, however, another subject, not certainly of greater importance, but of greater urgency, on which more than one noble Lord has spoken this evening, and on which I should like to make a few remarks. I allude to the cattle plague, for their conduct in respect to which the Government have been severely censured by more than one of the noble Lords who have preceded me. I do not think that in all respects this censure is deserved; because I believe that for some time after the disease broke out it would have been difficult, if not impossible, for them to adopt measures as stringent as the nature of the case would seem to demand. We were most of us at first—at least, I certainly was myself—but very imperfectly aware of the magnitude of the calamity, and up to the time when the Report of the Commission was issued, and even somewhat beyond that period, I have no serious fault to find with the course which the Government pursued. Since then, however, their conduct has not, in my opinion, been so decided as it ought to have been, nor do they appear to me to have been sufficiently alive to the great importance of the crisis. As was said by my noble Friend who spoke last but one (the Earl of Carnarvon), the breeding and feeding of cattle is now the groundwork of all improved agriculture. Ever since the repeal of the Corn Laws we have been pressing on the farmers the necessity of breeding more cattle, we have been continually telling them that to grow more and cheaper corn they must keep more stock, and this advice has been generally acted upon. To increase their cattle in order to increase the productiveness of their land has been the great object of the best farmers, and the destruction of their stock by such a scourge as the cattle plague would break down our whole present system of agriculture, and might occasion a loss which it would take half a century to repair. This calamity is one of the most fearful that can be imagined. It means the insolvency of the whole tenantry of England, the impoverishment of the landlords, and the destruction of English agriculture. Under these circumstances Her Majesty's Government, knowing what had been the experience of other countries—how all attempts to cure the disease had proved futile, and, on the other hand, how successful measures of prevention had been—was it not their duty to take preventive measures of the most stringent character? That they properly discharged their duty in leaving matters to the local authorities I, for one, utterly deny. The noble Earl spoke of following public opinion in this matter. I cannot admit any such excuse. It is the duty of the Government to lead, and not to follow public opinion. Public opinion, I say, my Lords, requires to be led by those who hold the high position of Her Majesty's Ministers—the direction should be given from above and not from below. The English people, and indeed all nations that are fit for freedom, are ever disposed to follow the guidance of their authorized leaders when they act with vigour and judgment, and it is when such qualities are wanting in its leaders that the country is dissatisfied. Nay more, I say that no Government is more likely to lose the confidence and support of a people than one which seeks to evade or to shift from itself responsibility. For my part, I think too highly of the English nation not to believe that they would be prepared to support their Government if it exhibited promptitude and energy in a great emergency. But if Her Majesty's Ministers were not willing to act upon their own responsibility by adopting more stringent measures to stay the pestilence, how can they defend themselves for not having called Parliament together at an earlier period? During the winter months the movement of cattle from one place to another might have been entirely suspended, without inflicting any permanent injury or very heavy loss upon the country, and without occasioning an amount of inconvenience too great to be temporarily borne. [Earl GRANVILLE: Fat stock?] I purposely avoid entering into details, but if fat cattle were allowed once to go to market, they ought never to be allowed to return from it. In the winter months, I repeat, the inconvenience to which I have referred might be submitted to, and I believe that if Parliament had been called together early in November, and if the Government had explained to Parliament, and through Parliament to the country, what was required to meet the urgent necessities of the case, both Parliament and the country would have supported them in adopting such stringent measures as by this time might have checked this fatal scourge. But now the plague has been spreading; every week shows an increase over its predecessor in the extent of its ravages, and both the expense and the difficulty of stopping the pestilence would be tenfold greater than it would have been only two months ago. By neither taking effectual measures on their own authority, nor yet calling Parliament together and so allowing the country an opportunity of declaring its wish for the timely adoption of severe regulations, the Government have incurred a very grave responsibility; for, by not summoning Parliament it is not that they have done nothing; they have done a great deal, for they have deprived the country of the means of enforcing those regulations which I believe in Northumberland—I cannot so well speak for other counties — almost every man was of opinion ought to have been adopted to stay this dreadful disease. There the complaint is that during those months, when these regulations would have been effectual and comparatively but slightly inconvenient, next to nothing was done; and now when the spring is coming on, when all the fodder for cattle in the houses is nearly exhausted and the cattle must of necessity be put out to feed, the difficulty of stopping infection will be infinitely greater than before. If Parliament had met earlier much might have been done to check the ravages of the disease, by enabling counties to raise money by rates for the purpose of buying and destroying infected cattle. Your Lordships are aware with how much success this has been done by means of a voluntary association in Aberdeenshire; but it was impossible, unless the law had given greater powers than now exist, that this example should have been generally followed by other counties. In a county situated like Aberdeenshire, which is not very populous, where the farms are generally large and the tenants a highly energetic and intelligent class of men, voluntary action and association in this matter were possible; but none of your Lordships who are acquainted with our English counties will believe that such a system would be practicable in them. Certainly it would not be practicable to the same extent here as in Aberdeenshire. For these reasons, I must say I think Her Majesty's Government are liable to severe censure for the course they have pursued. I am quite aware that their intentions were excellent, and that want of judgment and of vigour was their only fault; but in such a case as this, the lack of those qualities is about as serious a fault as a Government can have.

My Lords, I would next advert to the portion of the Speech from the Throne which refers to the subject of Parliamentary Reform. The Speech says—

> "I have directed that information should be procured in reference to the rights of voting in the election of Members to serve in Parliament for counties, cities, and boroughs. When that information is complete, the attention of Parliament will be called to the result thus obtained, with a view to such improvements in the laws which regulate the rights of voting in the election of Members of the House of Commons as may tend to strengthen our free institutions and conduce to the public welfare."

My Lords, when I read those words, I cannot but infer that the reports which have been in circulation on this matter are really true—I mean the rumours that Her Majesty's Government intend to deal with the great question of Reform by introducing a Bill, the whole scope of which will be confined to a reduction of the franchise. My Lords, I need hardly tell you that for some time reports to this effect have been generally current, but hitherto I had refused to give them credit. Till I read the significant words of Her Majesty's Speech I could not believe, even now I can hardly believe, that my noble Friend opposite (Earl Russell), who was the organ of the Government of 1831, in bringing the great Reform Act before Parliament can have determined so utterly to repudiate the principles of their policy, and to act so diametrically in opposition to all that was then done as these words imply. Let me remind your Lordships that the extent of the changes proposed in the Reform Bill of 1831 surprised both its opponents and its friends. One of those who supported it declared that when he first heard the plan described in the House of Commons it "took away his breath." What was alleged to be the dangerous and needless extent of the changes proposed was the constant topic of the opponents of the measures. Against these attacks the Members of the Government defended themselves by contending that if Parliamentary Reform were dealt with at all it ought to be in such a manner as to settle the question. I can, at all events, speak for one with whom I was very nearly connected, and of whose part in that great transaction I have no small reason to be proud. I have been reading over his correspondence with the late King on this subject, and his remarks upon all the difficulties which beset the question, as well as the grounds upon which the Government recommended the measure, and I find the point upon which he most insisted, and the argument to which he continually returned were that it would have been in the highest degree dangerous to propose any plan of Reform not calculated to settle the question. The Members of his Government all concurred with him in the opinion that repeated meddling with the Constitution of the country was what was most to be guarded against, and that the predictions of the opponents of Reform that these changes would be but the stepping-stones to future innovations, could only be falsified by bringing forward a measure so complete that it would secure the good government of the country, and give such satisfaction to the great majority of the nation that no one would wish to disturb it. My noble Friend himself (Earl Russell), in that memorable debate in the other House of Parliament during the crisis that immediately preceded the passing of the Reform Bill, declared that he had found it to be the opinion of the highest authorities both among the opponents and the advocates of Reform, and in which he himself concurred—

> "That if Reform was to be carried it ought to be founded on principle, and to be so framed if possible as to be as final a measure as legislation could carry into effect."

This was the great and fundamental principle of the policy of the Government of 1831, and the event has proved that it was a wise policy. It is now nearly thirty-four years since their great measure was carried, and in all its main provisions it remains unaltered to this day, and it has proved for a whole generation to be a settlement of the question. It has proved also to have been the means of promoting the good government of the country. I could not believe, till I was compelled to do so by the terms of the Speech, that my noble Friend, having this experience of its result, would abandon the wise and successful policy of which in 1831 and 1832 he was so distinguished an advocate, and adopt the very opposite policy of bringing forward a measure so obviously incomplete and imperfect that it is impossible it can be a settlement of the question, and must lead to further changes. My Lords, I had found it difficult to believe this, although I confess I had been alarmed, even before I knew the terms Her Majesty had been advised to use in her Speech, by the rumours which were current that my noble Friend meant to follow the advice publicly pressed upon him by a Member of the other House of Parliament, for whose judgment in this matter I confess I have by no means the same high respect that I feel for his character and for his ability. Your Lordships will doubtless recollect that some weeks ago Mr. Bright, in a speech at Rochdale, expressed a very strong opinion that the Government ought to bring in a Bill to deal with the question of the franchise only, and with the most remarkable candour he explained his reasons for recommending this course. He told his hearers that it was not to be thought this change would be sufficient. On the contrary, on this as on other occasions he has expressed his conviction that far more extensive changes in the constitution of the House of Commons are necessary — changes so extensive that they would go the full length of altering the whole existing character of the House of Commons, and make it a mere representation of the numerical majority of the population, assimilating it to the House of Representatives of the American Congress. There was no attempt to disguise his object, but he said it would be very unwise to attempt too much at once, because then he said they would be sure to be defeated; but, he added, that if they could induce the Government to introduce a Bill only to alter the franchise, and if the Government should carry the Bill with their support, they would obtain an improved position, and, to use his significant word, "an improved leverage" for further Parliamentry action. That is a significant word, "leverage," for it implies the overthrow of the whole existing system, so that there may be a clear ground for building up a new one. If I concurred with Mr. Bright as to the result to be aimed at, I should entirely concur with him as to the means to be used. If I thought it desirable to make the House of Commons a mere numerical representation of the majority, and not of all classes and interests, then I should say by all means adopt the course which Mr. Bright recommends; because, if such a sweeping change as he aims at were proposed openly and at once, it would not only be scouted by both Houses of Parliament, but scouted also by the nation. I believe that an overwhelming majority of the whole nation would reject at once measures of this kind if openly proposed. But I also know—and Mr. Bright seems to know likewise—from the experience of other countries, that nations may be brought by degrees to adopt plans which they would shrink from if pressed upon them in their full extent at once; that, in short, a fortress which defies capture by storm may very often be taken by sap. Differing altogether from Mr. Bright as to the object we ought to strive for, and believing that we ought to improve the present Constitution, and not to invent a new one, I think the first point we ought to insist upon in a Reform Bill is that it shall be one which the Ministers who propose it can conscientiously recommend to us as being calculated permanently to settle the question; and, therefore, a much larger measure would give me far less alarm than such a Bill as it is implied by the Speech that we may expect. Let me point out to my noble Friend that a Bill dealing with the franchise only never can be accepted as a settlement of the question by a sincere Reformer. Any measure intended to settle this question must deal with the present distribution of seats; because this is the part of the existing system which stands most in need of amendment. The present franchise may be faulty, and I believe it is, but, at all events, it is not repugnant to reason and common sense. It may have the fault of not providing sufficiently for the representation of the working classes, but assuredly it by no means excludes them from all share of political power. In the Committee which your Lordships appointed in 1860, it was proved that in one, at least, of the present boroughs the working men formed the majority of the whole constituency. In others, particularly the manufacturing boroughs, the working men form a large portion of the voters, and that a much larger number of them might be in the possession of the franchise if they chose. It was proved that very many of them earn wages quite sufficient to enable them to live in £10 houses were it not, unfortunately, too common for them to spend their money in indulgencies it would be far better for them to forego, instead of in providing comfortable homes for their families. The law regulating the right of voting is also open to objections, on account of its complexity and the uncertainty of its operation, because it depends upon the interpretation of nice legal questions. Still it cannot be denied that under the provisions of the law as it stands Members are returned for our counties and boroughs, who, upon the whole, very fairly represent the opinions of the places where they are chosen. Nothing of the same kind can be said in favour of the existing distribution of seats. It rests upon no principle whatever, but is utterly arbitrary and capricious. The shares of political power conferred upon different constituencies have not the slightest relation either to their comparative numbers, wealth, or intelligence, their independence, or even their general character. You have the right of separate representation withheld from large and flourishing towns, whose inhabitants are distinguished for their independence and intelligence; and, on the other hand, you have that right enjoyed by decayed boroughs of 200 or 300 voters, and sometimes of even a smaller number, who possess no such qualifications. Some of these boroughs are to all intents and purposes nomination boroughs, some are much worse, being venal and utterly corrupt. Not only are the returns for these places governed by money, but by money employed in a manner which tends so directly to degrade and demoralize the electors that it would be almost better to put the seats up to public auction, and dispose of them to the highest bidders. My Lords, these are facts which I defy any man to disprove; and with these facts before us, can it for a moment be pretended that a Reform Bill would deserve its name if it omitted all reference to evils so gross, and make no effort to remove them? But a Reform Bill confined to the reduction of the franchise would increase these evils; for I have no hesitation in saying that in some of the smaller boroughs a reduction of the franchise would introduce corruption where it does not now exist. Such a Bill, therefore, would be a sham and a delusion unless meant only to serve, as suggested by Mr. Bright, as a stepping-stone towards further changes. I do not forget that, when a Reform Bill was last before the House of Commons, the small boroughs were ably defended by very high authorities. It was argued, that however objectionable they may be in principle, however gross some of the abuses to which they give rise, yet practically they provide for the entrance into the House of Commons of a class of Members who would otherwise be shut out, and who could not be excluded without serious detriment to the character of that House, and to its fitness for the discharge of its duties. I am far from contending that these arguments are without weight, or that there is no truth in the statements on which they rest; but it does not follow, because there is a certain amount of good mixed up with the gross abuses which now prevail, that we ought contentedly to allow these abuses to flourish. The juster conclusion would seem to be that, to which we might also be led by other considerations, that the simple disfranchisement of the smaller boroughs would be unwise; that a good Reform Bill cannot be produced by merely attempting to tinker the existing system, but must be founded on a careful revision of that system as a whole; that we ought closely to examine its working, and decide upon the changes to be introduced in a spirit of reverence for what experience has proved to be good in our Constitution, but with courage to deal boldly with real abuses. A Reform of this kind, it may be said, would be so difficult to carry that it would be vain to attempt it. I do not deny that there would be difficulty in accomplishing a real Reform of Parliament; but in human affairs to attain great objects, great difficulties must generally be encountered. Painful labour, earnest and anxious effort, seem to be the means appointed by Providence for accomplishing all that is truly good and valuable whether for men or for nations. It would, undoubtedly, be no easy task to devise and carry a Reform Bill really deserving the name—a Reform Bill not meant only to serve the temporary interests of a Ministry or a party, or to meet unreasonable and ill-considered demands from any part of the nation, but wisely calculated to promote the good of the whole and to strengthen the foundations of our Constitution. This would, indeed, be no easy task; but is that a reason for our allowing a scheme glaringly bad and imperfect to be carried? And I must add, that the circumstances of the present time afford an opportunity that ought not to be neglected for endeavouring to carry a really good Reform. The general prosperity and tranquillity of the country, and the absence of bitter party spirit, afford facilities such as we have never before enjoyed for a deliberate consideration of this most important subject. All parties, too, have admitted some Reform to be needed, and all are, I believe, sincerely anxious that the question should be settled without delay and in a satisfactory manner. If, therefore, proper means are adopted by Her Majesty's Ministers for arriving at the result we desire, I see no reason for despairing that a plan of Reform might be worked out, which would meet with the approval of the great majority of men of intelligence, and calm and sober judgment. But whatever hopes of this kind we may entertain would be dashed to the ground by the bringing forward of any ill-considered and partial measure by the Government. The bringing forward of such a measure would be only too sure again to rouse the spirit of faction and of political animosity, and to banish that calmness which is necessary for the satisfactory settlement of the question. I must, therefore, earnestly appeal to my noble Friend (Earl Russell) to save us from so great a calamity, even if to do so he should be compelled to postpone somewhat longer than he could wish bringing this subject under the consideration of Parliament. I am as anxious as he can be that the question should be settled without unnecessary delay, but it is a case in which the old proverb "the more haste the worse speed" will be found eminently true. A little time would be well spent in previous preparations, for the purpose of ensuring that the Reform Bill to be submitted to Parliament may be found well adapted to answer its purpose, and to gain the acceptance both of Parliament and of the nation. And in pressing these considerations upon Her Majesty's Ministers, allow me to remind them that, desirable as it is to settle the question of Reform, there is no pressing and immediate necessity for doing this at once, in order to apply a remedy to any crying evils so far as relates to the manner in which the House of Commons as now constituted discharges its high duties in the government of the country. We have not now to deal with such a state of things as we had in 1830. In 1830 it was justly imputed to the un-reformed House of Commons that it had become altogether unequal to the proper performance of its functions in the Constitution; that for many years it had grossly failed either truly to represent public opinion, or to secure to the nation the benefits of good government and wise legislation; that it had, on the contrary, become an instrument for maintaining grievous abuses and even the cause of their existence. This I repeat was justly said of the un-reformed House of Commons; it cannot with even a colour of justice be said of the reformed one, which successfully, and with great benefit to the nation, discharge the duties that belong to it. However desirable, therefore, a further Reform may be, a change is not now of the pressing and urgent necessity that it was five-and-thirty years ago. And, in support of this assertion, I will cite a witness of very high authority. In the speech at Rochdale to which I have already referred, Mr. Bright, in speaking of the Reform Act of 1832, desired his hearers

> "To look to the great changes which have taken place since that stirring event, changes, all of which" he informed them "with scarcely any considerable exception, have been in favour of freedom, and in favour of the right and true interests of the great masses of our population."

And he then proceeded to show that greater security had thus been given to the Throne, and that

> "The realm has been for years more tranquil, and for a longer period than at any period of our recorded history."

I presume that Mr. Bright would agree with me in thinking that the end of all government is the welfare of the people, and that a Reform of Parliament is only desirable as the means of arriving more surely at that end; but if so, when Mr. Bright himself informs us that the House of Commons, as now constituted under the Reform Act, has worked so well for the good of the people, we have a right to infer that there can be no such pressing necessity for again altering the arrangement which was made in 1832 as to warrant our introducing fresh changes, without most carefully examining them to ascertain whether they will indeed be improvements. I trust, therefore, we shall not be asked to adopt blindly an obviously imperfect measure, which can only be regarded as the first instalment of what used to be called in derision "bit-by-bit Reform." If any such proposal should unfortunately be made to us, I trust that we shall reject it; but, on the other hand, I hope we shall also avoid the equally dangerous mistake of refusing all Reform. After what has happened in the last few years, I am persuaded that the present Constitution of the House of Commons cannot be permanently maintained unaltered. Its faults are too real and too serious for this to be either possible or desirable; and an obstinate rejection of all Reform, while the question might be dealt with deliberately and calmly, will surely lead in the end to our being driven to adopt in haste dangerous if not fatal measures. As men of sense and judgment, we ought alike to avoid the mistakes of both extremes, and neither consent to rash and ill-considered changes, nor yet refuse our assent to those which are really required. Let us look our position fairly in the face, and having taken proper pains to ascertain what improvements are required in the Constitution, let us endeavour, with all our strength, to carry those improvements into effect. I do not argue in favour of more delay than is necessary for due deliberation in order to make sure that the steps we may decide upon taking are the right ones. And if for this purpose it should be necessary that the question of Parliamentary Reform should for a short time be postponed, there will be ample room for the exercise of all the energy and wisdom of Parliament in dealing with other and pressing subjects. The state of Ireland has been adverted to in Her Majesty's Speech, and requires early and grave consideration. The municipal Government of this great town, which every day more clearly shows to be in a state utterly unsatisfactory, ought to be remodelled. The question as to what measures ought to be taken for extending education, for checking pauperism, and saving a large part of our population from their present degraded condition, is one of the deepest interest, since no man can look at the evils physical as well as moral, of which the existence in our large cities has of late years been revealed, without feelings both of alarm and of shame. Then, too, the abuses in the employment of children, and the difficult questions as to the mutual relations of labourers and their employers, urgently demand the attention of Parliament. The subjects I have mentioned—and I might have increased the list—urgently require the intervention of Parliament, in order to correct evils which have arisen, and to ward off dangers that threaten us from the growth of the nation, and from that very increase of its wealth and population which we are apt to regard with such pride and satisfaction. The progress of legislation has not been in proportion to the growing wants of a country so rapidly advancing. In the last Parliament especially, legislation on these questions has been nearly a blank, and little has been done to meet the new wants of our fast changing social condition. Not that I believe the last Parliament under proper guidance would have been either unable or unwilling to deal with the great social questions I have mentioned—it was the Ministers of the Crown who were unable or unwilling to assume the lead which properly belongs to the position they hold. I trust that now with a new Administration, and a new Parliament, these questions will be more vigorously dealt with. I am sure that their neglect would be ill compensated by throwing on the table of the House of Commons a crude and undigested measure of Parliamentary Reform. In conclusion, let me assure my noble Friend that, though I may have spoken strongly, I have made these remarks in no spirit of hostility to his Administration. It is, on the contrary, my earnest desire to see that Administration succeed, and to be enabled to give it my humble support; but I am convinced that neither the present nor any other Ministers of the Crown can long continue to hold office, either with advantage to the country or with credit to themselves, unless they apply themselves with earnestness and vigour to the great social problems which now agitate the public mind. This opinion is entertained not only by myself but is shared by many others. I feel, therefore, that I am really acting a friendly part towards my noble Friend in warning him of the necessity of deeply considering these matters before he has yet finally pledged his Government to any definite course of action.

THE DUKE OF ARGYLL: My Lords, I am very sorry to be obliged to recall the attention of the House to the question of the cattle plague. Her Majesty's Government having announced their intention of bringing forward a measure on that subject—and as there is nothing in the Address to commit noble Lords to any opinion on the conduct of the Government — I must express my regret that the unanimity which is usually thought desirable in voting the Address in answer to the Speech from the Throne has not been preserved on the present occasion, and that the subject of the cattle plague has not been reserved for discussion on some future day. At the same time, it would be scarcely respectful to those noble Lords who have in succession and with some violence attacked the conduct of the Government were I not to say a few words upon the subject. The main charge against the Government is that they have not adopted an uniform system for the whole of the country. I do not believe that the noble Lord (Lord Feversham) will push his Amendment to a division; but I would urge upon noble Lords who have supported the Amendment by their remarks that they ought at least to be at one among themselves respecting the course which the Government should have adopted. I have listened attentively to all the speeches which have been made upon the subject by noble Lords this evening, and, as far as I can make out, each one advocates a different course of action. The noble Duke opposite (the Duke of Rutland) applied to this side of the House the word "ignorant." I do not complain of the use of the word, but I will say that the speech of the noble Duke shows a singular want of information. He was, however, loudly cheered by those around him. He said—what was perfectly true—that the Government did take one or two energetic measures; and he indicated what they were. He said they prohibited the importation of cattle to Ireland and to the West of Scotland, the Highlands being particularly mentioned. He seemed to think that it was due to some personal influence of mine that importation had been prohibited in

Argyllshire, and he asked me to explain how this exceptional treatment had arisen. I will explain what course the Government have pursued. They proceeded on precisely the same principles in one place as in another — namely, that of giving to unanimous local interest and local opinion that weight and authority which is strictly their due. They gave to local opinion full weight in England, as they did in Ireland and in Scotland. But look at the total difference in the local cases. Ireland is exclusively an exporting country. If it imports at all, it is only a few bulls for the purpose of breeding. The people of Ireland came in a body, and asked the Government to issue an Order in Council prohibiting the import of cattle into Ireland. There was no great consuming population in that country, and no agricultural interest to oppose the demand; and, therefore, as the country was unanimous upon the subject, Government determined to grant their request. The importation of cattle into the West of Scotland was prohibited under precisely similar circumstances; with the exception of a few prize bulls no cattle are ever imported into that part of the country, neither is there a consuming population who would suffer by the prohibition. Another circumstance which affected both Ireland and the West of Scotland, but not the rest of the kingdom, was that by their geographical position it was easy to carry the prohibition into effect, whereas in other cases it would at all events be exceedingly difficult to do so. I do not know whether the noble Duke thinks that it is due to my influence with the Privy Council that there are only two roads into the county of Argyll from the Low Country, and that there are only two or three ports on its seaboard; but, at all events, it is exceedingly easy to prevent cattle being driven along the former, or landed at the latter. I admit that the districts so isolated were benefited, and I hope they will continue to be benefited by the precautions which have been adopted. The suggestion of the noble Duke, however, that a similar prohibition might have been extended to the whole of Great Britain, is of an entirely different nature. In England there are a large number of counties and of large cities interested in the importation of cattle, and it would have been most injurious and unjust if Government, in the first instance, had prohibited the importation of cattle into this country. Another point to which I wish to direct your Lordships' attention is, that although it may be quite possible that the plague reached this country from Europe, yet I do not think it has been proved that it came to us from any particular country. As has been already explained by the noble Earl (the President of the Council), before the disease was brought to the knowledge of the Government it had broken out in four or five distinct counties; and, although it may have been truly said that the infection was traced to the Metropolitan Market, yet no trace whatever exists to show how it was brought to London. With reference to "killing," instead of "curing," the noble Duke said that all attempts to cure the disease had failed, and that we must look to uniform and universal slaughter as the only remedy. But does the noble Duke mean to say that this was the opinion of the majority of the country in the earlier stages of the disease? Does the noble Duke not know that even last week propositions were made to cure infected animals? Does he not know that up to last week many people thought that a prevention of the disease was to be found in vaccination? Well, the Privy Council had issued an Order which gave to inspectors a compulsory power of slaughtering all infected animals—which was a very near approach to uniformity of action. The Order enabled every county which chose to adopt it to enter compulsorily any farmstead and do the work of slaughter. How was that measure received by the country? Why, I have no hesitation in saying that it was received in many parts of Scotland and England with positive indignation. At a meeting called in my own county several gentlemen expressed the greatest indignation at the power thus given to inspectors, and one gentleman, half in joke no doubt, but also half in earnest, said that if any inspector armed with such powers went into certain parts of the county it was a question whether he would ever come away again. This is the way in which any approach to uniformity of action was received, and even the noble Earl opposite (the Earl of Winchilsea) himself has expressed great indignation at such a power having been given to inspectors. Well, but that was the earliest act of Government, and that was the way in which it was received. It was clear, therefore, that at that time the action of the Government was far ahead of the opinion of the public, as the latter were not aware of the extreme danger to be apprehended from the disease. The next step taken by Government was to appoint the Royal Commission, which recommended the stringent step of prohibiting the removal of cattle entirely, even from field to field, where they would have to traverse the public roads. The Government deliberated very seriously upon this matter; it was carefully discussed at three or four meetings of the Council; and all things considered, we came to the conclusion that the minority of the Commission, who did not agree in this recommendation, were in the right—that such a step at that time would not have been tolerated by public opinion, and that even if Government wished to adopt it we had not the machinery to carry it into effect. The county police are under the local authorities, and therefore, without the co-operation of the local authorities, the recommendation could not effectually be enforced. The truth is that even the majority of the Royal Commission who made the recommendation were not really unanimous among themselves, for a distinguished member of that majority (Dr. Lyon Playfair) subsequently informed the Government that, although he had concurred in the recommendation of the majority, yet he was bound to warn the Government that the mere stopping of the traffic would not be effectual of itself; that a mere localization of the cattle would not stamp out the disease unless every homestead were visited, all infected cattle were destroyed, and every cattle shed was carefully cleaned and ventilated, as otherwise, when the farmers commenced to turn their cattle out a few months after, the plague would break out again with equal violence. As to the system of killing the cattle on the farms and having no live markets, I may say that one of the earliest measures of Government was to enable local authorities to put a stop to fairs and markets; but it was found that irregular markets were still held, and these were also made subject to prohibition. But was it possible for the Government to stop absolutely all markets, and was the butcher always to go to the ox, instead of the ox to the butcher? This might answer in some instances; but for the supply of great cities it was utterly impossible to carry out such a system. In Liverpool, for instance, the other day the county magistrates attempted to put into effect an order stopping the market of that town, which is in a district outside the borough, and therefore subject to the jurisdiction of the county magistrates. What was the result? Why, that the town was in arms about it; the borough magistrates remonstrated strongly, and I believe some compromise has been come to on the subject. Now, only imagine the mischief which might result from the Government attempting a general prohibition of this kind over the whole country! Among other communications from different parts of the country, we have received a letter from the chairman of the board of quarter sessions of the West Riding of Yorkshire, in which he says that such a system would be most mischievous, as it would be absolutely impossible to distinguish whether the meat was infected or not after it was killed and dressed for the market. Therefore, as you must have great markets for large towns, the only protection is to direct that the cattle shall not leave the markets alive, but shall be killed at once. Again, it has been suggested by my noble Friend who spoke on the cross-bench (Earl Grey) that we should have adopted the particular system he found it convenient to establish in Northumberland. This is precisely what noble Lords seem to think who have objected to the course taken by the Government. They all appear to think that what suits their own county would suit the whole country. It is only those who know, as the Government must know, the enormously varying interests of different parts of the country, who can appreciate the absolute impossibility of an Order that shall prevail over the whole kingdom. Does my noble Friend think that the system which he introduced in Northumberland, and which he has been obliged to vary more than once, could have been imposed in Devonshire and Somersetshire which have had no disease at all? We have had some very hard words applied to us to-night. Ignorance and want of energy have been imputed to us. I do not wish to throw back those imputations on those who have used them against us; but I must say that noble Lords who indulge in such expressions can have very little appreciation of the difficulties with which the Government have had to deal. It is no light matter for the Government to interfere with the feeding of millions of the people. No man knows how it is done—and any man may well be cautious as to interfering with it. It is only done through the thousand channels which are formed by private interest and private enterprize. It is a vast organic system. It is not the Government that feeds the people, but the people who feed themselves; and you never know the effect that may be produced by shutting one single avenue of trade. Already, for example, it is very much to be feared that considerable injury has been done to the tanning and leather trade. I have no doubt that when the question comes to be fully discussed, which it cannot be when raised incidentally on the Address, noble Lords will be satisfied that, whether the Government might have done more or less, it was absolutely impossible to adopt any system of general prohibition over the whole country. A large part of England is still free from the disease; a still larger part of Scotland is free from it; and I was very glad to learn from my noble Friend the Earl of Dalhousie that in the county of Forfar the disease has become so much less virulent that, by the local treatment adopted, they are enabled to save 50 per cent of the cattle attacked. It was not by its geographical position alone that the county of Aberdeen was enabled to do what it has done. It was by the financial system adopted, which disclosed one of the most remarkable cases of skill and energy grappling successfully with evils of this kind. The system consists in this—they agreed to assess themselves voluntarily to the extent of 2*d.* in the pound, equally dividing the amount between the landlord and the tenant. The fund so raised was spent in paying two-thirds value for every infected beast killed by the committee; and three-fourths value for every clean beast killed by way of precaution. I do not see why similar measures should not be taken in every county in England, although, undoubtedly, there may be local difficulties. I repeat, my Lords, that I believe when the measure which will be proposed by the Government comes before you for consideration, your Lordships will be satisfied with it.

The Earl of DERBY: My Lords, I can scarcely hope to see the practice adopted here which prevails in some neighbouring countries, of considering an Address in answer to a Speech from the Throne paragraph by paragraph; but it must be admitted that, according to the practice we pursue, it is extremely difficult to enter on a fair discussion of the topics introduced in the Speech. Their multitude and variety render the discussion of each almost necessarily fragmentary. One noble Lord takes up one, another discusses another, and it is impossible to do justice to any in the sort of preliminary discussion which takes place on the Address in answer to the Speech from the Throne. In point of fact, one of the main objects answered by the two documents—the Speech and Address—is the opportunity they afford to Parliament and the people of hearing what has been done by the Government during the Parliamentary recess—although I must say that in that respect I do not think we have received much information from the Speech delivered on the present occasion. These discussions also offer to the advisers of the Crown an opportunity of intimating what are the measures they intend to propose to Parliament during the Session; and, on the other hand, the Government have an opportunity of hearing from various sides of the House what portions of their past conduct are likely to meet with animadversion, and perhaps censure, and, of course, with regard to other portions, what are likely to be approved by the country or Parliament. There is one other object answered by the Speech and the Address in answer to it, and that is, it affords an opportunity for the younger Members of your Lordships' House to make a trial of their strength, to make their first Parliamentary effort, and to hold out to the House the promise of future success or failure. I have now, my Lords, been a Member of your Lordships' House for more than twenty-two years, and I must say, without the slightest flattery to the two noble Lords who moved and seconded the Address, that I never heard an Address moved and seconded with greater ability and greater promise of future excellence than by the noble Marquess and the noble Earl who have performed that duty this evening. If I may make a distinction between them, I may be permitted more especially to congratulate the noble Earl (the Earl of Morley) on the singularly clear, lucid, straightforward manner in which he dealt with every topic to which he had to refer, upon the good taste by which all his observations were characterized, and more especially the becoming modesty with which they were delivered. These qualities must lead us to hope that we may often have the opportunity of hearing him express his sentiments as one of the most promising young Members of your Lordships' House. At an earlier period of the evening, and if your Lordships' attention had been less occupied, I might, perhaps, have commented at some length on the various paragraphs of Her Majesty's Speech—a Speech of more than usual length, and dealing with more than the usual number of subjects; but with respect to many of them we are promised papers which will supply us with more information than we now possess, and any attempt to discuss them in the absence of those papers would be necessarily very imperfect. There are topics again on which there will be no difference of opinion. There will be no difference of opinion as to the sincere congratulations we offer to Her Majesty on the approaching marriage of the Princess Helena, or on any matter which nearly concerns and interests Her Majesty. I am quite sure your Lordships will all be prepared to join in the hope expressed by Her Majesty that this union may tend to promote the happiness of Her Royal Highness. Again, we shall all sympathize with Her Majesty in the expression of Her regret at the loss which She and Her family and the whole of Europe have sustained in the recent death of the sagacious monarch who reigned for so many years over Belgium, who by his wisdom and his firmness held united in a feeling of common patriotism rival parties in that little kingdom, determined to protect and preserve its independence, and the influence of whose ability and prudence extended far beyond the limits of his own dominions, and produced no inconsiderable effect on the whole general policy of Europe. The loss of such a man as the late King of the Belgians is a general loss to Europe, and I only hope that his successor, animated by his example, may exhibit the same firmness, the same prudence, and the same discretion in dealing with conflicting elements, subjected to his sway, as his venerable father exhibited for so many years before him. I am glad to learn that our relations with all Foreign Powers continue to be friendly and satisfactory; and I am bound to believe the statement, when we are informed both by Her Majesty and the Government of France that the reciprocal visits of the French and English fleets to Cherbourg and Portsmouth have tended to establish permanent and friendly feelings between the two peoples. It is very probable that friendly relations may have been established amongst the officers of the two fleets; but I am at a loss to know how complimentary visits to Portsmouth and Cherbourg can prove that the two countries are "acting in friendly concert in the promotion of peace" which we have just been told has not been in the slightest degree ruffled. We all must concur in rejoicing that after four years of bloody warfare that sanguinary war has been put an end to in the now re-United States of America. I fully concur in that paragraph of the Answer to the Speech, which commends the wise and prudent manner in which, after the war had terminated, the ravages of civil war are sought to be repaired. That paragraph must more particularly apply to the conduct individually pursued by the President, who appears to be honestly seeking after the best mode of restoring the union of his country by a conciliatory and forbearing policy, and it is to the interest of the United States and of the world that in the wise and benevolent exercise of his authority he may not find himself swamped and overborne by violent passions not yet subsided, and by the tyranny of a majority which appears to exercise a baneful influence in the Congress. The termination of the slave trade must undoubtedly be a subject of congratulation; but I fear the abolition may be attended with very severe sufferings in consequence of the idleness and privations of the emancipated negroes, who have little knowledge as yet of the duties imposed upon them as free men, who take exaggerated views of the rights acquired by freedom, and who are likely to prove a source of considerable danger both to the States to which they belong and to the Government of the United States. I hope these feelings will subside, and that better knowledge will lead to more favourable results. At present, though the great object of the extinction of slavery is attained, yet it is attained through the medium of severe suffering and at the risk of no inconsiderable danger. I shall not offer any comment on the correspondence, not yet officially before the House, between the English Government and the United States with respect to injuries inflicted on American commerce by cruisers under the Confederate flag; but I must say that as far as I have seen the correspondence it has been conducted in a courteous, liberal, and honourable spirit, and I concur in the arguments by which the noble Earl opposite (Earl Russell) has supported the cause of this country, and the course pursued by the Government. I will not say a word on the subject of Brazil, the war between Spain and Chili, or the transactions in Japan. I shall rejoice to find that the treaties entered into will be productive of the very great commercial advantages which the noble Earl seems to anticipate. It is singular, however, that those persons who are now so ready to invite commercial treaties with France and also with Austria are the very men who for years and years were denouncing the whole system of commercial treaties, and proclaiming that we had only to consult what was best for our interests without considering what other countries could give us in return. That system is abandoned, but rather late, and only when our free trade measures had left us nothing to offer to other countries in return. Certainly there must be a very moderate appreciation of the benefits of free trade, if this country is to receive Austrian goods at a very low or nominal duty, while our goods are to pay in Austria 25 per cent, and, after a period, 20 per cent. However, the step is in the right direction, and though we do not get on so far as we wish, I suppose we must be thankful for small mercies. I now come, however, to a question upon the merits of which I shall not express any opinion whatever, because I agree with the noble Earl who seconded the Address (the Earl of Morley) that any such expression of opinion would, at the present moment, be premature. I refer to the deplorable events of which we have all heard with so much concern as occurring in the island of Jamaica. Unfortunately, a portion of the press of this country has taken upon itself to prejudge the question in the absence of all information, or with very imperfect and inadequate information. I am not pretending to say whether Mr. Eyre was justified in the measures of severity — undoubtedly, of great severity—which he felt called on to carry into effect; but this I will say—that Mr. Eyre's previous character does not lead one to suppose that he would lose his head from sudden infirmity, and if there is one point more prominent in his character than another it is, that in all cases where there was a mixture of races he stood forward as the advocate and protector of the inferior race. It is unlikely that a man of this description and character, who has had experience of colonial life, should have been so entirely misled as, without foundation, to believe that a dangerous rebellion was organized over the whole of the colony, which broke out prematurely in one district, and which, by the admission of the Colonial Secretary, was put a stop to by the vigour with which the authorities acted in Jamaica, while no such rebellion in reality existed. The whole question of Governor Eyre's conduct will turn on what was really the state of the colony. Was there in reality fair ground for the belief that a rebellion was about to break out, when rigorous measures would be measures of real mercy, though attended with loss of life? But, my Lords, I pronounce no opinion on this subject. The Government ought to have received despatches from Mr. Eyre, from time to time, with respect to the state of the island —he must have told them what he apprehended, and what was the opinion of the whole white population. We know, indeed, that the whole white population—they might have been under a delusion—but we know that they were unanimous in the belief that by his measures Mr. Eyre saved the colony of Jamaica. They may have been all wrong. I do not say they were not, and I want to receive the fullest information. But, with respect to the course pursued by the Government, I must say that that is a matter on which I am fully competent to form and express an opinion, and I must say that I do not think it has been either just or generous to the Governor of Jamaica. The position of the Governor has been one of serious responsibility and great danger; and at the moment when he believed that he had rendered great services to the country he has been suspended from his functions without reasons assigned. The course pursued towards him makes it but too painfully evident that the Government have lost their best head. Such a course—a course which prejudged and degraded a public servant without trial—would never have been adopted had Lord Palmerston still lived. We have his own recorded sentiments as to the duty of the Government towards their subordinates; and if Lord Palmerston committed any error at all it was that of going into the opposite extreme, and, rightly or wrongly, feeling it his duty to defend the conduct of those who acted under him. I saw the other day in a newspaper which was sent to me a quotation from a speech delivered by Lord Palmerston when the question was under discussion whether or not Sir John

Bowring had precipitated us into an unjust war with China; and I recommend the noble Lord's words to the serious consideration of the Government—

> "It is not enough," said Lord Palmerston, "to support the representative of the Crown when we are satisfied that he is right. Even if we believe that he took an unwise course we will not desert him so long as we are satisfied that he acted honestly, and with a conscientious desire to do his duty to the country." Now mark, my Lords. "The moment your policy takes a different direction you cease to deserve the confidence of honourable men. You may get people to serve you, and doubtless you will, but they will not be high-minded English gentlemen, such as it is necessary to have at the head of affairs in the great colonies and dependencies of this country."

I am far from denying that the statements which were received, imperfect though they were, did render it the duty of the Government to call on Governor Eyre for an explanation on those points in respect to which he appeared to have exceeded the law; but I do think that to send for a Governor from another colony—I am sorry to say I am afraid contrary to the original intention of the Government, whatever the reasons may be which led to the alteration of that intention—to supersede Mr. Eyre, who was to remain within the island—subject to the examination and control of that Governor and two of his colleagues, degraded in the eyes of the blacks, who would naturally be led to believe that they had obtained a signal triumph over a man whom they looked upon as an oppressor; while the whites would be under the impression that everything was being done in favour of the negro, the relative position of the two races being thus as it were changed—was a step neither just to Governor Eyre nor likely to be otherwise than most unfortunate in its effect upon the minds of both populations. I presume the noble Earl at the head of the Government has taken the opinion of the Law Officers of the Crown as to the legality of the Commission which has been sent out to Jamaica; for, unless I have their opinion against mine, I should have great doubt as to that legality. I do not, of course, question the power of the Government to make any inquiries they may please in the colony, and to order rumours to be picked up here and there for their information; but I believe this Commission which has been sent out to try, as it were, Governor Eyre for high crimes and misdemeanors has not the power to compel a single witness to give evidence before it on oath; that Mr. Eyre might refuse to appear before it if he pleased, or recognize its authority in the slightest degree. What, therefore, have you done? Have you not been sending out on the authority of the Government a roving Commission to pick up evidence against him which might be used when, if that which is urged against him by those who take a fanatical view of his conduct in this country be true, he came to be placed upon his trial on a capital charge? I will only add upon this point that the Government have, in my opinion, taken a grave responsibility upon themselves in the course which they have adopted. My Lords, I next come to that serious calamity, the cattle plague; but I will not follow into any detail the various speakers who, with the exception of the President of the Council and the noble Duke opposite, have with so much unanimity expressed their dissatisfaction at the course which the Government have thought proper to pursue in reference to that subject. Even the language—the apologetic language—of Her Majesty's Ministers themselves has been, "We did not know how far public opinion or feeling would go along with us in dealing with the matter. We therefore fluctuated from one side to the other, and issued a series of contradictory enactments."

EARL GRANVILLE: I did not use that language.

THE EARL OF DERBY: Perhaps the noble Earl will tell me which are the precise words to which he objects.

EARL GRANVILLE: I did not say, speaking on behalf of the Government, as the noble Earl would seem to impute to me, that "we fluctuated from one side to the other, and issued a series of contradictory enactments."

THE EARL OF DERBY: I did not for a moment suppose that the noble Earl would give that character of himself and his Colleagues. What I intended to say was that, with the single exception of the noble Earl himself and the noble Duke beside him, there was an universal chorus of voices from both sides of the House, complaining that the course pursued by the Government with regard to the cattle plague was vacillating and unsatisfactory; that they were from first to last insensible of the magnitude of the evil; that they lagged behind the exigencies of the case; that they were endeavouring to see before acting how far public opinion would go along with them, and that they were throughout shirking the responsibility which belongs to the executive Government, and seeking to throw it on the shoulders of other persons, thus producing no uniformity of proceeding; but, on the contrary, every variety of system. [Earl GRANVILLE interposed an observation which was not audible.] All I can say is, that the language which the noble Earl imputes to me is absolute nonsense; but I do state that it appears to me that the Government have failed to realize, with regard to two questions, the important fact that, both as regards moral and physical evil, if prompt and vigorous measures be not applied at an early period, before evil had time to mature itself, it will spread abroad and gain force, until it will require great exertion to check and extinguish it. This observation I would apply not only to the cattle plague, but also to that which is known under the name of Fenianism in Ireland. For the way in which the latter evil has been dealt with I make no charge against any individual, still less against the present Irish Government. My noble Friend behind me (the Marquess of Abercorn) has told your Lordships, with great truth, that in 1859 the Government, of which I had then the honour to be the head, succeeded in convicting one prisoner on a charge of treason-felony, and in establishing beyond a doubt the existence of a treasonable conspiracy in Ireland; and I may add that that excellent Judge, Baron Greene, in passing sentence of ten years' penal servitude on the person who had been convicted, informed him that had not the Crown taken a merciful view of the case and indicted him for treason-felony his duty would be to pass upon him sentence of death, inasmuch as his offence absolutely amounted to treason itself. We succeeded in establishing the fact of a conspiracy, and there were several other prisoners at the same time against whom indictments had been found; but it was thought expedient by the Crown to postpone the consideration of those indictments until the following assizes. The question was accordingly brought before the Court of Queen's Bench as to whether the prisoners should be admitted to bail. No rule was, however, made on the subject, inasmuch as the Court was equally divided; but the Judges who were in favour of admitting the prisoners to bail just as strongly condemned the offence with which they were charged, and as fully admitted the clearness of the case against them, as those who took a contrary view upon the point immediately at issue. Well, what afterwards happened? The Government went out of office between the time of which I am speaking and the next assizes, and the first act of the new Government was to discharge every one of those indicted traitors on the simple condition that they should come up for judgment when called upon to do so. Nor was this all. The Crown entered into a bargain with the prisoners who pleaded guilty not only that they should not be visited with the consequences of their crime, but that the prisoner who had been actually convicted and sentenced to ten years' penal servitude should be released, and he was released without even application having been made to the Judge who tried him to ascertain whether there were any circumstances which in his opinion would justify his pardon. Well, my Lords, and who are the persons who were thus dealt with? Why, the very same who were brought up again for the same crime within the last few months, and who were from 1859 to 1865 allowed to mature their traitorous designs both at home and in America. They were the very same men! There is, again, the notorious Mr. Stephens, who was associated with Mr. Smith O'Brien in that foolish and paltry attempt at revolt in 1848, and who has ever since been carrying on the game of treason. This gentleman was in 1848 a principal agent; but, acting upon that instinct of self-preservation which seems never to have forsaken him, he left his comrades in the lurch and went abroad. He afterwards, however, returned to Ireland at the peril of being indicted for high treason. Then there is the notorious offender called Donovan, who has remained in Ireland plotting treason from 1863 to 1865, and who, as the registered proprietor of *The Irish People,* circulated under the very nose of the Castle 8,000 copies per week of a paper containing articles so detestably treasonable that Justice Keogh, in sentencing one of the prisoners brought before the late Commission, requested the reporters not to take any notice of the extracts from that paper he read in his defence. There were, I believe, no less than forty copies of *The Irish People* which were relied upon as overt acts of conspiracy, yet though its circulation extended from 1863 to 1865, it was not until after the late general election that a single step was taken to prosecute the traitors by whom it was conducted. Mark, my Lords—for the entire space of two years this man Donovan, who had been conditionally pardoned by the Crown, and who might at any moment have been called up for judgment on a charge of treason-felony, was allowed unchecked, and with a full knowledge of the circumstances on the part of the Government—for during the whole time their spy was in his office—to go on disseminating treason, so that the credulous and but too easily deceived people of Ireland were led to believe that the authorities were not sincere in their desire to suppress the conspiracy. I do not say this to throw blame on the Government of that day. The prime offender was the right hon. Gentleman who is now Secretary of State for the Colonies, and who does not appear to be much more successful in that post than he was as Chief Secretary for Ireland. But the present Government of Ireland seem to have acted with moderation, temper, and firmness, and to have conducted these trials in a manner which reflects great credit upon them. I trust they will continue to pursue the same course, and not slacken their hand till there is a hope of the credulity of some of the humble classes in Ireland being dissipated and of peace and order being placed on a sound basis through the influence of the large majority who are better disposed. But the moral I wish to draw from these things is this:—Some of these unhappy men repudiated, with indignation, the idea that while they were plotting rebellion they were also countenancing assassination. The Irish race are impassioned, credulous, and easily led; and it has been one of the misfortunes of Ireland that for a long series of years past she has always had a succession of agitators lay and clerical constantly inflaming the minds of the people, constantly dwelling on their supposed wrongs, and constantly inciting them, not to acts of violence, but to constitutional agitation, and now these agitators find they have raised a Frankestein — their pupils, bettering their instruction, have broken out into open acts of insensate rebellion, and although I believe from my heart that none of these acts of violence are intended, or would be sanctioned or encouraged by those who lead them to the very brink of the abyss of crime, yet the moral to be drawn is that it is not safe to incite such an excitable people with incessant tales of their imagined oppression, and that the natural fruits of such a mischievous course will be such deeds as their advisers may little contemplate.

My Lords, in dealing with the single topic of the Speech from the Throne which it now remains for me to notice, I am not about to follow the example set by the noble Lord on the cross-bench, and to presume to offer any advice to Her Majesty's Government as to what course they should pursue. The question of Reform is one on which they will judge for themselves, and will bring forward at the proper moment, and on their own responsibility, such a measure as they may think it desirable to propose—and, if possible, to carry. But, observing that this question of Reform appears in the very last paragraph in the Royal Speech of twenty-nine paragraphs, I must venture to call to the recollection of the noble Earl (Earl Russell) what took place seven years ago, on the 3rd of February, 1859. On that occasion it did so happen that Reform was the subject of the last paragraph in a Queen's Speech of about half the length of the present one; and in reference to that circumstance Lord Palmerston, with good-humoured badinage, held this language—

> "It is not an unusual practice to reserve the best and most important things for the last, and accordingly Her Majesty's Government, after having kept the House and the public on the tenterhooks of expectation through many long preceding paragraphs, at last come to the topic which is at present most exciting the attention of the public —namely, the subject of Parliamentary Reform. I take the last paragraph in the Speech to mean that Her Majesty's Government have a Bill ready prepared upon that subject, and that it is their intention, without the least delay, to lay it on the table of the House, in order that the House and the public may have an opportunity of considering its provisions. I think that is a proper course for them to pursue, and quite consistent with the usual course of procedure."—[3 *Hansard*, clii. 81.]

My right hon. Friend the then Chancellor of the Exchequer (Mr. Disraeli) had the satisfaction of informing the noble Lord and the House that we had that Bill in readiness, that we were prepared to lay it on the table at a very early period, and that there was only one subject which pressed for more immediate consideration before it—namely, the large augmentation of the navy which was then in progress. But then the noble Earl opposite was not satisfied, and he sought rather to improve upon his leader's liveliness on that occasion. He accordingly delivered himself of the witticism which I am about to submit for your Lordships' consideration. He said—

> "Sir, there is another subject which the right hon. Gentleman touched upon somewhat tenderly, and which appeared just at the end of the Speech from the Throne."

This was the gravamen of the charge against us—

> "It certainly appears to me as if Her Majesty's Ministers had gone through all the topics upon which they thought Parliament would expect to be addressed, and that then some Member of the Cabinet said, 'Is there nothing forgotten? We have not left out Mexico, have we? No, there it is. There is also a passage about China and Japan. I cannot think of anything that is omitted.' But at last some ingenious Member of the Cabinet perhaps said, 'There is one subject forgotten—there is the Reform of Parliament; we must put that in.' "—[3 *Hansard*, clii. 100.]

Now, my Lords, all this was founded on the circumstance of Reform being the last paragraph in Her Majesty's Speech, and that occurring on the 3rd of February, our Bill was laid on the table on the 28th of the same month, and was then ready for discussion, the House having disposed of the question with regard to the navy. But the noble Earl said, with his usual humour—

> "The right hon. Gentleman (Mr. Disraeli),
> 'Now fitted the halter, now traversed the cart,
> And often took leave, but deemed loth to depart.' "

But earlier in his remarks, the noble Earl said—

> "The right hon. Gentleman seemed as unwilling to touch on that subject (Reform) here as the Cabinet were in putting it into the Speech. Heaven knows how it has fallen into their charge!"

Well, be that as it may, we know at least how it was taken out of what a Member of the other House the other day, with great courtesy of expression, called our "dirty and unhallowed fingers." But I will tell the noble Earl how it was that it fell into our hands. Our predecessors had on more than four separate occasions pledged the faith of the Crown that such a measure should be submitted to Parliament; and because in endeavouring to carry that pledge into effect they had so completely bungled and mismanaged the whole question that they could come to no conclusion at all, that they left everything in confusion and the whole country in an agitation on the subject of Reform, we sought to put an end to that state of things by a fair, an honest, and a consciencciously-framed measure, proposed with an earnest intention to fulfil the solemn and repeated declarations made from the Throne. How that Bill was encountered, defeated, and got rid of perhaps the noble Earl has now forgotten;—I can assure him I have not. But in those remarks of his in 1859 which I have been quoting the noble Lord, addressing the House of Commons, went on to say—

> "I do not see that there is any subject which the Government intend to bring forward that will furnish them with any excuse for delay in this matter. . . . If the Government have made up their minds to introduce a Reform Bill, let them lay it on the table. I will give no opinion on a measure of that kind until I see what it proposes to do. . . . There is every disposition in this House to wait their time; but they must not be putting off the subject. My hon. Friend behind me (Mr. Bright) I am afraid, will hardly be able to restrain his impatience. . . . They have given a pledge in this matter, and they are bound to perform it."—[3 *Hansard*, clii. 102.]

That was the language of the noble Earl in 1859, in breathless haste calling for the introduction of a finished Reform Bill ready for discussion by Parliament. A month—one little month—was too much to give after the opening of the Session. It was the bounden duty, so he urged, of the Government to have their scheme ready, and, having it ready, to lay it before the Legislature at once. Well, the noble Earl is now at the head of the Government, and I do not gather that they have their measure ready. I infer from this speech that they have not yet made up their minds what their measure shall be. If the fact be otherwise, they certainly have done themselves great injustice, because they say that "inquiries are now going forward with reference to the right of voting in the election of Members to serve in Parliament," and that "when that information is complete the attention of Parliament will be called to the result thus obtained," &c. Now, my Lords, the Government are proceeding either without information, or with the intention of making the information they may procure square with their foregone conclusions; or, again, they may be gifted with a superhuman prescience which enables them to know infallibly beforehand what will be the precise result of these inquiries; whereas we poor ordinary mortals must be content to wait until all those promised statistics are laid before us which are to prove the wonderful skill and dexterity of the Government in framing a measure in anticipation of the information on which it is to be founded. Well, my Lords, imitating the wise caution of the noble Earl, I will express no opinion upon their measure until I have seen it. I hope it will be such a measure as I shall be able to support—that it will be a reasonable and satisfactory settlement of this grave and important question, which I believe it is desirable to settle, and settle once for all. And I promise the noble Earl another thing—that his Bill shall have fair play; that it shall not be thrust aside by any underhand methods; that there shall be no factious movement or combinations against it on the part of those who can combine for nothing else; that it shall be dealt with on its merits; that if we can approve of it we shall give it our cordial support; but that, on the other hand, if we disapprove of it and think it is imperfect, inadequate, or dangerous, and above all if we think it one leading to future agitations within a brief period of a perilous character, then with whatever means we may possess we shall do our best to throw it out by fair debate and honourable opposition.

Earl RUSSELL: My Lords, as the other topics raised in the debate have been sufficiently discussed, I will confine my observations to two points — the charge which the noble Earl (the Earl of Derby) has made against me in regard to the Jamaica rebellion; and the other charge in reference to Parliamentary Reform. In reference to the first, it is to be borne in mind that the question for the consideration of Her Majesty's Government was not whether Governor Eyre was right in repressing the rebellion, but whether he was right in adopting the means he did to suppress it. It is one thing to support an officer who may have committed some errors of judgment; but when it comes to a question of the lives of 500 of the Queen's subjects, I do not think it right for us to say, "We do not care whether 500 persons have been put to death without necessity, but we will support the Governor whether he was right or wrong, and we care nothing about those persons' lives because they happen to be black." That, then, being the question before us, we determined that inquiry should be made. There was then the question whether the inquiry should be instituted with Governor Eyre at the head of the Government. Here was this obvious objection, that obviously the Governor could not maintain his authority when that authority would be shaken every day if the inquiry proceeded. There was also this obvious objection—that if Governor Eyre retained the supreme authority, however fairly the inquiry might have been conducted, no one would have believed that there would have been a fair inquiry, or that the truth would be permitted to be told when the person accused retained his high office. While, too, an apparent stigma was cast upon Governor Eyre, he would be liable to the imputation of suppressing the evidence, and not allowing it to go fairly before the public. For these reasons, it was determined that the head of the Commission should be supreme Governor of the island; and I venture to say that we could not have chosen a man of higher honour than Sir Henry Storks, or one more fitted to inspire respect, or to support and maintain authority in the island. We have associated with him Mr. Russell Gurney and Mr. Maule, and no two persons are more likely to take a correct view of the law of the case. With regard to one of the questions that has been raised by the noble Earl, we were perfectly aware when we appointed the Commission that the Commissioners could not take evidence upon oath. Directions, however, went out that the Legislature should be called together to enable the Commissioners to take evidence on oath, and Sir Henry Storks has called that Legislature together to give him authority to examine on oath. It was clear to us that it was impossible to refuse inquiry, from the case made out by Governor Eyre himself. It was equally impossible to have a satisfactory inquiry if he remained at the head of the island. Therefore, the course we took was the only proper course—the only justifiable course—that remained to us. With regard to the other question upon which the noble Earl has made some observations, I do not know that I have much further to say with respect to our measure of Reform, than that I expect it will be brought in quite as soon after the meeting of Parliament as was the case when the noble Earl brought in his measure. Some of the information has been very lately supplied, and there is a portion of it of which the correctness is doubted, and that has been sent back. I do not doubt, however, that by the end of the month the Government will be ready to propose their measure. The noble Earl has made some complaint against me as to the manner in which his own Bill was met, and that makes it necessary for me—though I should otherwise have postponed my remarks on this subject—to state that I entertained very grave and solid objections to the Bill, which made it impossible for me to agree to the second reading. My first objection to the noble Earl's Bill was that it took away a right that had been enjoyed, not only from the time of Henry VI., but from the very earliest time of our Parliamentary history—namely, the right of freeholders in cities and boroughs to vote for the counties in which they have their freeholds. That right was an essential part of the Constitution — so essential, in my opinion, that when the late Earl Grey told me it was very likely that a provision would be introduced in the House of Lords into the great Reform Bill, taking away from freeholders the right of voting for the counties they resided in and confining them to vote in boroughs, I told Earl Grey that if the Bill came down with that alteration I should consider it so vitiated that I would myself move in the House of Commons that the Reform Bill, with all its good and great provisions, should be rejected.

THE EARL OF DERBY: May I ask the noble Earl was this always his view as to the value and importance of retaining that provision?

EARL RUSSELL: There was another provision in the noble Earl's Bill which proposed to restore nomination boroughs. According to the Reform Act many of the smaller boroughs, in which there were ten or twelve voters, were enlarged by £10 voters, so that they contained 300, 400, or 500 electors, whereby a certain independence was introduced which enabled the constituencies to send men of their own opinions to Parliament. Now, the noble Earl's Bill had a provision by which freeholders of counties would have voted for those boroughs. Besides this, there was a further provision, which would have operated in some degree as a revival of the old nomination boroughs—the provision that these votes might be sent by post, so that any noble Lord or right hon. Gentleman in some distant country might send by post the votes of 300 or 400 tenants, who never went near the place, and thus carry the election. That struck me so much that I stated my objection to a Gentleman who sat near me when the Chancellor of the Exchequer proposed his measure to the House of Commons, that these provisions, with the absence of any adequate extension of the franchise to persons occupying houses under £10 a year, made the Bill so bad that it was impossible to support it. The noble Earl, when first Minister of the Crown, introduced two measures—one a Budget imposing a very large tax upon houses, and another a measure for the Government of India. I consider they were both exceedingly bad measures, and both were rejected by Parliament. But much worse was the measure which the noble Earl introduced under the name of a Reform of Parliament. I objected to that Bill, and I stated my objections fully and fairly. That Bill was defeated by no underhand proceeding, but by open and fair opposition. As to the objections raised by the noble Earl to a measure of Reform, because it might be regarded in the light of a stepping-stone to other more extensive reforms, I have only to say that the late Mr. Hume said the same of the Bill of 1832, and voted for it on that ground. But though Mr. Hume said he intended to go much further than the Bill of 1832, that did not prevent the late Lord Grey and his Colleagues from carrying that important measure; nor should the fact of the same being said now prevent the present Parliament from carrying a measure commensurate with the requirements of the time.

VISCOUNT MELVILLE expressed an opinion that the Government had treated Governor Eyre most harshly and ungraciously. By his energy and firmness Governor Eyre had saved the colony. The Secretary for the Colonies, it was true, had written a most proper letter to Jamaica, promising that the names of those who had so ably assisted Governor Eyre in suppressing the rebellion should be brought under the favourable notice of the Horse Guards. But what followed? The Governor had actually been rebuked for having adopted severe measures in the exercise of his duty. It was impossible to say what would be the result of this unworthy conduct on the part of the Government. It really seemed as if the noble Lord had turned to the right and left to see in what direction the several parties set their faces, and then to have acted as the policy for the moment dictated. It had been well said by a noble Lord who had preceded him, that if a late noble Lord had still been at the head of the Government the idea of censuring Governor Eyre would not have been entertained for a moment.

That noble Lord would have spurned the proposal of recalling Governor Eyre. He would, on the contrary, have supported him to the last, and not even dreamt of pursuing a line of policy calculated to degrade the country in the eyes of the world. So far from censuring Governor Eyre, the Ministry should have tendered him the thanks of the country. It grieved him beyond measure to think that the Governor's conduct, under most trying and difficult circumstances, should now be subject to review by men who never knew what danger was.

Question put, "Whether the said words shall be there inserted?"—*Resolved* in the *Negative.*

Then the original Address was *agreed to*, and Ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES—Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

APPEAL COMMITTEE—Appointed.

House adjourned at a quarter past Eleven o'clock, till Thursday next, half past Four o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, February 6, 1866.

The House met at One of the clock.

Several other Members took and subscribed the Oath; and several Members professing the Roman Catholic Religion took and subscribed the Roman Catholic Oath; and one Member professing the Jewish Religion took and subscribed the Oath in the manner prescribed for such Members.

A Message from Her Majesty, by Sir Augustus Clifford, Gentleman Usher of the Black Rod—

"MR. SPEAKER,

"The QUEEN commands this Honourable House to attend Her Majesty immediately, in the House of Peers."

Accordingly, Mr. Speaker, with the House, went up to attend Her Majesty:—

And having returned;

Mr. SPEAKER resumed the Chair at a Quarter before Four of the clock; and several other Members having taken and subscribed the Oath:—

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read 1°; to be read 2°.

BUSINESS OF THE HOUSE.

Mr. SPEAKER laid upon the Table Rules, Orders, and Forms of Proceeding of the House of Commons relating to Public Business, 1866.

VOTES AND PROCEEDINGS.

The Sessional Orders being moved according to custom, on the Order—

"That the Votes and Proceedings of this House be printed, being first perused by Mr. Speaker, and that he do appoint the printing thereof; and that no person but such as he shall appoint do presume to print the same,"

SIR COLMAN O'LOGHLEN said, he had a suggestion to offer on the subject. The House was aware that in the heading of the Votes the days of the week to which they referred were printed in Latin. He thought the time had come when an alteration should be made in this respect. The matter might not be of much importance; but it was rather inconsistent that while the heading of the Votes, and the hour and day to which the House adjourned, and in the Notices the days of the week and month, were in English, in the Votes the days of the week and the months should be in Latin. There ought to be at least uniformity in the printing of their proceedings. There was a time when all legal proceedings were printed in the Latin language, but a hundred years ago that was changed. He knew it was in the power of the Speaker to direct the alteration which he suggested—namely, the printing of the headings in English; but he was sure the right hon. Gentleman would not be disposed to change the present system without an expression of the wish of the House.

Mr. WALPOLE said, that the matter was one quite within the discretion of the Speaker. If it were thought convenient that the days of the week should be printed in English instead of Latin, he did not think any one would raise an objection to the hon. Baronet's suggestion.

Mr. SPEAKER said, that in early days the Votes were printed solely for the use of Members; but now they were published and circulated for the information of the public also. Perhaps, therefore, the use of one language throughout would be more convenient. With the concurrence of the House he should be happy to give directions to that effect.

[And the proposed alteration was made from the commencement of the Session.]

THE QUEEN'S SPEECH FROM THE THRONE.

Mr. SPEAKER *reported*, That this House has, this day, attended Her Majesty in the House of Peers, when Her Majesty was pleased to make, by Her Chancellor, a most gracious Speech from the Throne to both Houses of Parliament; of which, Mr. Speaker said, he had, for greater accuracy, obtained a Copy:—

And Mr. Speaker read it to the House.

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

Lord FREDERICK CAVENDISH said: Sir, I rise to move that an humble Address be presented to Her Majesty, in reply to the gracious Speech we have just heard read. Seldom, if ever, has there been a Speech from the Throne which has been delivered under circumstances so impressive, or which has dealt with topics of so grave an import, as that with which Her Majesty has just opened this the seventh Parliament of her reign. Her Majesty has this day, once more, disregarding the painful effort to herself, and at the cost of re-awakened memories too deep for me to touch upon, re-appeared amongst her people, and met them through their representatives in Parliament assembled. In the short interval since Her Majesty summoned this Parliament she had lost the counsels of that old and experienced statesman whom the country has mourned as one man. In her Speech, Her Majesty has had to call the attention of her Parliament to topics of so painful a nature as the recent events in Jamaica, the conspiracy in Ireland, and the disease amongst the cattle in England; and, finally, she has again informed us that a measure will be introduced for the important object of an extension of the franchise. Under these circumstances, I feel that I need not trouble the House by an appeal for a large measure of that kind indulgence which it is ever ready to extend to those in circumstances similar to mine. I can only state that if I had not felt that the position I now hold was conferred upon me on account of the importance of the great constituency which I have the honour to represent, I should not have been emboldened to undertake my present task.

Her Majesty has informed us that she has recently declared her consent to a marriage between her daughter the Princess Helena and the Prince Christian of Schleswig-Holstein Sonderbourg-Augustenburg. An event so closely touching Her Majesty's own personal happiness cannot but excite the deepest feelings of the House. I am sure the words of the Address I have to move will, in this respect at least, not only be passed with unanimity, but will express the heartfelt wishes of the House in assuring Her Majesty that the House joins with her in the hope that the union may be prosperous and happy. In like manner the Address will express the feelings of the House in assuring Her Majesty that they join with her in profound grief at the death of Her Majesty's beloved uncle, King Leopold, that old and experienced King whose death has left so great a blank amongst the rulers of Europe. The House will also share the confidence which Her Majesty states she entertains that the wisdom evinced by the late King of the Belgians during his long reign will "animate his successor, and preserve for Belgium her independence and prosperity." Her Majesty has given us the gratifying assurance that our foreign relations are friendly and satisfactory. Inasmuch as the noble Lord, to whom the Queen has intrusted the first place in her Councils upon the death of Lord Palmerston, has been during the late Government primarily responsible for the conduct of foreign matters, it is but natural that the foreign policy of the present Government should resemble that of the late one—that policy of which the country expressed so distinct and emphatic an approval at the late elections. That it is identically the same

Her Majesty's Speech contains abundant proof. That cordial alliance with France, of which so signal a testimony has been recently given to the world by the friendly meeting of the fleets in the ports of their respective countries, is still maintained and still exercises its beneficial influence in the promotion of peace throughout the world. For, Sir, we are informed that the good offices of Her Majesty's Government, in conjunction with that of the Emperor of the French, are at present occupied in the attempt to restore peace between Spain and Chili. And as these good offices have been accepted by Spain, there is good ground for hoping that the causes of disagreement will be removed in a manner which will satisfy the honour of both countries. In like manner the Treaty of Commerce with Austria, the negotiations for which had been begun under the Administration of Lord Palmerston, have been brought to a successful conclusion; and I believe that benefits will accrue to both countries under this treaty, similar to those which have ensued under the French Treaty. Again, the correspondence between Her Majesty and the United States, with respect to injuries inflicted on American commerce by cruisers under the Confederate flag, has been brought to a conclusion by the present Foreign Secretary in much the same manner as it would have been had it fallen to the late Prime Minister to conclude it. The next topic on which I have to trouble the House is the recent events in Jamaica. Not even in that tropical climate has ever a storm more suddenly gathered and burst over its inhabitants, than did the news of the events which had happened in Jamaica burst upon the people of England. As far as I know, not a trace of anything suggestive of such events is to be found in the Papers laid before Parliament relating to the affairs of Jamaica. At the end of the year 1860 Sir Charles Darling, the then Governor, in a most able despatch depicting the state of the island, summed up its results in these words—

> "Thus it is that Jamaica at this moment presents, as I believe, at once the strongest proof of the complete success of the great measure of emancipation, as relates to the capacity of the emancipated race for freedom, and the most unfortunate instance of a descent in the scale of agricultural and commercial importance as a colonial community.

It was under these circumstances that the disturbances occurred at Morant Bay, which ended in the massacre of many of the leading inhabitants of that part of the colony, and which was believed by the Governor and by the great majority of the white inhabitants of the island to be a part of a widely extended conspiracy, such that nothing but the most severe measures could prevent Jamaica from becoming a second Hayti. Under such circumstances this most deplorable outbreak took place. Her Majesty's Government have thought it right that there should be an impartial inquiry into those events, and that the Papers relating to them should be laid before Parliament. Under these circumstances, I do not think it would be wise now to enter into any discussion of the question. Many charges have been brought against Her Majesty's Government for the suspension of Governor Eyre; but I must say that I feel that the course of the Government was not only the right one, but was the only one the Government could pursue. For it is not to be understood that by this suspension the Government has passed any sentence of disapproval on Governor Eyre. So far from its being so intended by them, the step they have taken is similar to that taken by the Government of the Earl of Derby when Sir John Young was suspended for awhile from the office of High Commissioner of the Ionian Islands, and the right hon. Gentleman the present Chancellor of the Exchequer was sent out there. It was for the interest of Governor Eyre himself, that such a course should have been taken. I am sure that his name would not stand as high as it should stand until it has been proved by an impartial inquiry that the measures taken by him were necessary; and how could the inquiry be impartial if Governor Eyre remained Governor while the inquiry was being conducted? Her Majesty has informed the House that the Legislature of Jamaica has proposed that the present political constitution of the island should be replaced by a new form of government, and that a Bill on the subject will be submitted for our consideration. The present state of things having met with the unanimous disapproval of all classes, we can only hope that one of the results of the new measure will be that the Government of Jamaica will be at last placed on a satisfactory footing. Her Majesty states that she watches with interest the proceedings which are still in progress in British North America with a view to a closer union amongst the Provinces. We must all feel it to be desirable that all these colonies, which are destined on a future day to be one great empire, should be gathered together into one great confederation. I must now say a few words respecting the plague amongst the cattle which has caused such fearful ravages in many counties. I am sure that the expression of Her Majesty's sympathy, which has been so kindly expressed in the Speech, will be a great comfort to those persons who have suffered so severely from the loss of cattle through means of this disease. When the disease first broke out Her Majesty's Government issued a Commission of Inquiry into the remedies that could he adopted for the suppression of the disease and the measures that might be calculated for its prevention; various orders also were issued giving powers to local authorities to adopt measures for its repression. I have seen that the Government has been very generally taken to task for not having dealt with this evil in another form—by assuming the responsibility of issuing some general Order to prohibit totally the removal of cattle throughout the country. Even now at the present moment, when we all know how serious the evil is, there is great doubt in the minds of some, who know much more about the cattle disease than I can pretend to know, whether such prohibition would not tend rather to the spread of the disease than otherwise. It is necessary that cattle should be killed in order that meat should be obtained. For that purpose cattle must be either sent to market or killed at the farmstead. Now, I think it is a question whether the butcher, going from farm to farm and slaughtering cattle, would not do more to spread the disease than would be done by sending the cattle to market to be killed there. However that may be, we must all recollect that when the cattle disease first broke out we were not only without experience as to what were the wisest steps to be taken, but also the public were not at that time prepared for them. Even supposing the best measures could have been discovered by the Government, and could have been ordered by it, it would have been impossible to have carried them out. At the time there was not sufficient alarm or panic in the country for the purpose. By giving the necessary powers to various local authorities different experiments have been tried. In the county of Aberdeen the experiments have been followed, I believe, by the most successful results; and I believe that that, or some such plan, may be generally adopted throughout the country. Her Majesty has given the House the pleasing assurance that the state of trade is satisfactory. In spite of the cattle disease, there never have been such general signs of prosperity throughout the country. And, Sir, our satisfaction is increased by the consideration that that satisfactory state of trade means not only wealth to the great manufacturer and capitalist, but that the advantages resulting from it are also fully participated in by the labouring classes. In former days the great problem was what to do with the superfluous population of the country; but the difficulty now in many parts of England is to find labourers for the work to be done. A few months ago we in England might have said that this prosperous state of things extended to Ireland, and that the condition of that country was materially improving—that she was recovering from the series of bad harvests from which she had suffered for the three or four years previous. But a severe blow against that reviving condition has been struck by that conspiracy, which Her Majesty has characterized in her Speech as "dangerous alike to authority, property, and religion," and as "disapproved and condemned alike by all who are interested in their maintenance without distinction of creed or class." A panic and alarm had been thus caused in Ireland which we can scarcely realize in England. The price of land has gone down; no new engagements for the expenditure of capital are entered into. The measures adopted by Her Majesty's Government have met with the unanimous approval of the country. They waited until they had sufficient evidence to act decisively, and when the moment came they struck a decisive blow by the arrest of nearly all the leaders of the conspiracy. Convictions have attended nearly the whole of the prosecutions which have been instituted, and this fact has shown unmistakably the loyalty of that class of men of whom the juries are composed, and the general satisfaction of the people of Ireland at the conduct of Her Majesty's Government has been shown by the holding of such a meeting at Dublin as has seldom been seen in the country before. Persons of all politics and all religions met together and approved of the conduct of the Government. The first most important object is, no doubt, to restore confidence, and whatever further measures may be required to accomplish this I trust they will be taken by the Government. But though the restoration of confidence is the first, I cannot think it to be the only duty of the Government. A conspiracy which has been disapproved of by all the influential classes of the country, and which has been deprived of nearly all its leaders, and which still remains, must have some strength in it. This strength lies, I fear, in the wide-spread disaffection amongst the lower orders of the people. For this disaffection there must be some cause. It may be the traditional hatred of Celt against Saxon. It may be the recollection of former misgovernment and of former suffering, or it may be that there still exist causes which keep it alive. Whatever be the cause, I trust inquiry will be made—and, if causes do exist, that Her Majesty's Government will deal with them with a prudent, but bold and decided hand. It is no use shutting our eyes to the facts of the case. Not only is there great disaffection amongst the lower classes of the people still in Ireland, but hundreds of thousands of Irishmen yearly leave our shores with feelings of permanent hostility to England.

After the length at which I have already troubled the House, I will not refer at any length to the various measure which are to be laid before the House, and to which allusion has been made in the Royal Speech. In the debates of the last Parliament upon the subject of Roman Catholics there was a general unanimity of opinion that at any rate some parts of the oath required to be taken by them ought to be amended—that when it was so amended that all the oaths should be made uniform—and that a measure for accomplishing such an object ought to be introduced under the responsibility of Her Majesty's Government. In accordance with that general opinion, Her Majesty has announced that a measure will be introduced during the present Session. Her Majesty also informs us that she has directed information to be procured in reference to the rights of voting in the election of Members to serve in Parliament, and that when the information is completed

> "the attention of Parliament will be called to the result, with a view to such improvements in those laws as may tend to strengthen our free institutions and conduce to the public welfare."

I rejoice to see that the noble Lord at the head of the Government (Earl Russell) has recently announced that by the measure of Reform to be introduced that Government had decided to stand or fall. At this present moment the attention of the country is not diverted by fear of war or by the existence of any war, as was the case at the time of Lord Aberdeen's Government and Lord Palmerston's Government, who were in power when the Italian war occurred. The Reform question is one of such importance, and it has been so long before Parliament, that there is a general unanimity of opinion that it is time it should be settled. There are many who think that, considering the present prosperous state of the country, considering the general contentment and loyalty of the people, there is no reason for a change; yet I venture to think that it is prudent, just, and wise now to legislate upon the question. Prudent, because since the time of the last Reform Act, when the middle classes obtained power by the assistance of the working classes, great progress had been made in the power of the working classes themselves, by the increase of their intelligence and power of combination. It is not prudent that such a power should be without the legitimate means of exercise through and in support of the institutions of the country. It is just, because considering how vitally affected are the interests of these classes by the legislation of this House, by questions of taxation, and, above all, by the great questions of peace or war—considering these things, it is only just that—consistently with the rights of others—the voice of the working classes should be heard in the deliberations of Parliament. It is wise, because I think it is the part of high statesmanship to call forth the whole power of the State, and that can alone be done by extending, as widely as can with safety be done, political rights and responsibilities. Such are the questions which Her Majesty has recommended to our attention, and upon which we shall have to deliberate and decide. Upon these deliberations and upon these decisions will in a great measure depend the future state of our country; and this being the case, I feel the House will gladly join in the prayer of Her Majesty that "In these and all other deliberations the blessing of Almighty God may guide our counsels to the promotion of the happiness of her people." In conclusion, he begged to move that an humble Address be presented to Her Majesty, as follows:—

"That an humble Address be presented to Her Majesty, to convey the thanks of this House for Her Majesty's Most Gracious Speech from the Throne:

"Humbly to thank Her Majesty for informing us that She has recently declared Her consent to a Marriage between Her Majesty's Daughter the Princess Helena and Prince Christian of Schleswig-Holstein Sonderbourg-Augustenburg, and to assure Her Majesty that with Her we trust that this union may be prosperous and happy:

"Humbly to assure Her Majesty that we participate in the profound grief felt by Her Majesty at the death of Her Majesty's beloved Uncle, the King of the Belgians; but that we feel confident that the wisdom which he evinced during his Reign will animate his Successor, and preserve for Belgium her Independence and Prosperity:

"Humbly to express our gratification at learning that Her Majesty's relations with Foreign Powers are friendly and satisfactory, and that Her Majesty sees no cause to fear any disturbance of the General Peace:

"To assure Her Majesty that we trust that the meeting of the Fleets of France and England in the Ports of the respective Countries has tended to cement the amity of the two Nations, and to prove to the World their friendly concert in the promotion of Peace:

"Humbly to assure Her Majesty that we learn with satisfaction that the United States, after terminating successfully the severe struggle in which they were so long engaged, are wisely repairing the ravages of Civil War; and that, with Her Majesty, we regard the abolition of Slavery as an event calling forth the cordial sympathies and congratulations of this Country, which has always been foremost in showing its abhorrence of an institution repugnant to every feeling of justice and humanity:

"Humbly to thank Her Majesty for informing us that the exertions and perseverance of Her Majesty's Naval Squadron have reduced the Slave Trade on the West Coast of Africa within very narrow limits:

"To thank Her Majesty for directing Copies to be laid before us of the Correspondence which has taken place between Her Majesty's Government and that of the United States, with respect to injuries inflicted on American Commerce by Cruisers under the Confederate Flag:

"To express our thanks to Her Majesty for informing us that Diplomatic Relations with Brazil have been renewed, and that the good offices of Her Majesty's Ally the King of Portugal have contributed essentially to that happy result:

"To assure Her Majesty that, with Her Majesty, we regret the interruption of Peace between Spain and Chili, and that we earnestly trust, that through the good offices of Her Majesty's Government, in conjunction with those of the Emperor of the French, the causes of disagreement may be removed in a manner honourable and satisfactory to both Countries:

"To thank Her Majesty for informing us that the Negotiations, which have long been pending in Japan, have been brought to a conclusion in such a manner as to receive Her Majesty's entire approbation; that the existing Treaties have been ratified by the Mikado; and that stipulations have been made for the revision of the Tariff in a manner favourable to Commerce, and for the punctual discharge of the Indemnity due under the terms of the Convention of October 1864:

"Humbly to express our thanks to Her Majesty for informing us that Her Majesty has concluded a Treaty of Commerce with the Emperor of Austria, which Her Majesty trusts will open to that Empire the blessings of extended Commerce, and be productive of important benefits to both Countries:

"Humbly to thank Her Majesty for informing us that in consequence of the deplorable events which have occurred in the Island of Jamaica, Her Majesty has been induced to provide at once for an impartial Inquiry, by appointing a distinguished Military Officer as Governor and Commander of the Forces; that Her Majesty has given him the assistance of two able and learned Commissioners, who will aid him in examining into the origin, nature, and circumstances of the recent Outbreak, and the measures adopted in the course of its suppression; and that the Legislature of Jamaica has proposed that the present Political Constitution of the Island should be replaced by a new form of Government:

"To assure Her Majesty that we will give our careful consideration to the Bill on this subject, which is to be submitted to us:

"To thank Her Majesty for directing Papers on these occurrences, and on the present state of New Zealand, to be laid before us:

"To convey our thanks to Her Majesty for informing us that directions have been given for the return to this Country of the greater portion of Her Majesty's Regular Forces employed in the Colony of New Zealand:

"To assure Her Majesty that, with Her, we watch with interest the proceedings which are still in progress in British North America with a view to a closer union among the Provinces, an object to which Her Majesty continues to attach great importance:

"Humbly to assure Her Majesty that we have observed with great concern the extensive prevalence, during the last few months, of a virulent Distemper among Cattle in Great Britain; and that it is with deep regret, and with sincere sympathy for the sufferers, that we have learnt the severe losses which it has caused in many counties and districts: whilst it is satisfactory to know that Ireland and a considerable part of Scotland are as yet free from this calamity, which gives us reason to trust, with Her Majesty, that by the precautions suggested by experience, and by the Divine blessing on the means which are now being employed, its further extension may be arrested:

"To thank Her Majesty for directing the Orders which have been made by the Lords of Her Majesty's Privy Council by virtue of the powers vested in them by Law, with a view to prevent the spreading of this disease, to be laid before us; and to assure Her Majesty that our best attention shall be given to the expediency of an Amendment of the Law relating to a subject so deeply affecting the interests of the People:

"Humbly to thank Her Majesty for having directed that the Estimates of the ensuing year shall be laid before us, and for having caused them to be prepared with a due regard to economy, and to the maintenance of efficiency in the Public Service:

"To thank Her Majesty for informing us that the condition of Trade is satisfactory:

"Humbly to express our thanks to Her Majesty for informing us that a Conspiracy, adverse alike to Authority, Property, and Religion, and disapproved and condemned alike by all who are interested in their maintenance, without distinction of creed or class, has unhappily appeared in Ireland, and that the Constitutional Power of the ordinary Tribunals has been exerted for its repression, and the authority of the Law firmly and impartially vindicated:

"Humbly to assure Her Majesty that our serious consideration shall be given to the Bill to be submitted to us, founded on the Report of the Royal Commission on the subject of Capital Punishment; to the Bills for amending and consolidating the Laws relating to Bankruptcy, and for other improvements in the Law; to the measures for extending the system of Public Audit to branches of Receipt and Expenditure, which it has not hitherto reached, and for amending the provisions of the Law with respect to certain classes of Legal Pensions; and to the subject of the Oaths taken by Members of Parliament:

"To thank Her Majesty for directing that information should be procured in reference to the Rights of Voting in the Election of Members to serve in Parliament for Counties, Cities, and Boroughs, and to assure Her Majesty that, when that information is complete, our earnest attention will be given to the result thus obtained:

"Humbly to assure Her Majesty that, with Her, we fervently pray that the blessing of Almighty God may guide our counsels to the promotion of the happiness of Her Majesty's People."

MR. GRAHAM said: Mr. Speaker—Sir, I rise to second the Address which has now been proposed, profoundly sensible of the honour conferred on the great constituency which I represent, and on myself by my being invited to do so, and soliciting the patience and indulgence of the House, of my need of which in the discharge of that duty I am most painfully conscious, and which I am assured will not, in such circumstances, be denied me. There must be but one feeling of loyal satisfaction in all our minds in that the Queen has come down to-day in person to address us, and to inaugurate the new Parliament by her presence, and return to the more prominent engagements of public life, whose constrained absence from them has been regarded with so profound sympathy. And although in this new Parliament we miss the familiar face of one who had been so long the presiding spirit of the House of Commons—whose name had become a household word in all our homes—a watchword of our rights and liberties throughout the world, I rejoice to think that, great as is the loss we have sustained by his death, the prosperity and the progress of our country are not dependent on individual lives, however illustrious or gifted, and there is no inconsistency between the deepest and most earnest sense of that loss, and the most perfect confidence in the new leaderships for which it makes room. The Address refers to the subject of Parliamentary Reform, and promises a measure for its accomplishment; and for this department of the work before us these new leaderships seem peculiarly adapted—adapted alike by the acknowledged confidence of those at the head of Government in the wisdom and justice of Reform, and by their proved possession of the confidence of the country. Whatever truth there may have been in the allegation of indifference in the past, it cannot be asserted that there is such indifference in the country now. True, there is none of the passionate excitement of former days, for such excitement would be altogether out of place. No radical change in our institutions is contemplated. Never were these institutions more loyally appreciated than now. No prevailing sense of wilful and persistent wrong stirs up men's passions or calls for violent protest, although it rests with those who are opposed to such Reform to awaken these passions by obstruction. Nor is there even any hesitation as to the willingness of the Legislature to grant what is desired. On the contrary, there is a calm, confident, universal persuasion that the claim will be allowed. We have all parties in the State pledged to some measure of Reform. We have no party of any weight desiring changes of a revolutionary character such as would overturn the balance of our institutions or the fair share of any class in the direction of the Government, nor is there any necessity for delay in order to a prolonged previous inquiry as to the effects of contemplated alterations, since there are already means of ascertaining, sufficiently accurate for all practical purposes by machinery in existence in connection with our Poor Law system, how, and to what extent, the various constituencies would be affected by any given changes in the qualification. And if it be so, surely it were greatly to be deplored if any personal or party considerations, or any tendency to divided counsels, should delay the settlement of a question which cannot be evaded, and which will be all the more difficult the longer its settlement is deferred.

Reference is made in the Address to those deplorable occurrences in Jamaica which have naturally excited so much attention in this country, and in regard to which opinion is still much divided. On the one hand, we have been startled by the severity of the measures employed — a severity alien to the habits and traditions of our national policy, and which has been resented by the instincts of our people. We have been startled by the limited amount of evidence furnished in official documents as to the reality of the crisis which alone could justify that severity, by the apparently unconstitutional character of some of the proceedings, and by the shameful levity of tone and feeling, and the bitter antipathies of race and creed manifested in much of the correspondence of those who have been actors in these tragedies. On the other hand, our sympathies have naturally been enlisted on behalf of our countrymen placed in circumstances of imminent danger, or believing themselves to be so—sympathies all the stronger for the too recent memories of the fierce passions of the Indian mutiny and the cruel martyrdoms of Cawnpore. We have felt that too hastily to doubt the good faith of our fellow-countrymen, and to stigmatize them rashly as the aggressors in so ferocious a conflict, were treason alike to our common blood and to our common Christianity. Nor has the tried character of the Governor of the island, for ability, integrity, and humane regard to the native races of other colonies, appealed in vain to our sense of justice in his behalf, forbidding us to condemn hastily even where his own official correspondence might seem insufficient for his acquittal. In these circumstances, Government have adopted a course which must commend itself to every unbiassed mind. The inquiry which they have appointed a Royal Commission to conduct will no doubt be prosecuted with all despatch, and it is our duty to await the result. I am persuaded that the decisions of this House thereon will be in accordance with justice—that no intemperate prejudice shall prevent the honourable acquittal of all or of any who have acted worthily in a great crisis, or a lenient interpretation of their mistakes who may have endeavoured to do so, but that, on the other hand, no partiality of rank, or race, or creed, or official position, shall determine our judgment to an unjust conclusion. But remembering that evidence as to character is no sufficient answer to the evidence of facts, if it shall unhappily prove true that in a paroxysm of panic or of passion truth and right have been trampled under foot, this House will never be their accomplices who have so abused the delegated authority of England, nor suffer her boasted humanity to become a by-word of the nations, by turning a deaf ear to the cry of innocent blood.

Whilst public opinion has been agitated by these lamentable events in a distant dependency, we have not been without causes of anxiety at home. The Fenian conspiracy, to which the Address refers, however chimerical in its aims and contemptible in the disproportion between its pretensions and its powers, however alien in its origin—and it is entirely so—however organized by men who had antecedently renounced their allegiance and severed the ties that bound them to this country, is nevertheless an indication not to be neglected that passions and prejudices hostile to peace and good government exist in the minds of some portion of the Irish people. And whilst Government have acted energetically and temperately and effectively in suppressing that conspiracy, it may be well, now that it is suppressed, to ascertain whence these passions and prejudices have arisen, that, if possible, we may remove them; whether there may not be still some impressions of injustice in the relations between landlord and tenant, some want of adaptation in the means of education to the wants of the people, or some positive wrong in the arrangements connected with the religious institutions of the country. Nor must such questions be regarded chiefly from an English or a Scottish, but rather from an Irish point of view, and in so far as we can do so, without sacrifice of principles or Imperial interests, giving all weight to the opinions of those who, as representing Irish constituencies, have the best right to be heard on Irish questions. Much, no doubt, of the feeling in Ireland is unreasoning and traditionary, but not the less is it our duty and interest to investigate and to remove every just cause of complaint.

There is good reason to congratulate the country upon the general prosperity of trade to which the Address refers. Notwithstanding a severe crisis in the spring of last year on the collapse of the Confederate cause in America, which occasioned a depreciation of not less than £12,000,000 to £15,000,000 on manufactures and raw material, the property of this country, the general results of the year's trade, have been satisfactory, and have more than retrieved the losses of the autumn of 1864 and spring of 1865, and the very crisis has contributed to our prosperity by enabling us to import our supplies of cotton at a reduced cost. The operatives in the cotton manufacturing districts who had suffered great hardships in the three preceding years are now fully employed at high wages, and there is, in fact, a dearth of hands in these districts at this moment. Our total production of cotton goods is probably 25 to 30 per cent less than it was in 1861, and it requires the full power of the available hands to produce this diminished quantity, so that it will be three to four years before we can, in the usual course, have as many employed as in that year. Meantime the enhanced value enables us to satisfy the wants of the world with this reduced quantity, and, at the same time, prevents falling off in the declared value of the trade; whilst the hands thus deficient have, for the most part, found profitable employment in other industries. The woollen trade has shared in the gains without fully participating in the losses of the trade in cotton and cotton goods, and, by a singular fortune, thrives alike by the wasteful expenditure of war and the more healthy demands of peace and the revival of the American trade. Our linen trade has experienced an extraordinary development during the continuance of the American war. The total exports, which in 1861 were about three and a half millions value, have in 1864 and 1865 more than doubled, being over seven and a half millions each year. And this increased trade has been most profitable to all concerned, and is now giving abundant employment to every available and willing worker. Our iron industries have attained to more gigantic proportions than ever before, and in some departments of them in which we have hitherto been behind the Continent, such as the manufacture of cast-steel, we are now nearly or quite on a par with any country, whilst the rapid development of the mineral fields of the Cleveland district, and the more recent discoveries of hematite ore in Cumberland, are rapidly creating great centres of industrious and prosperous populations in districts which before were poor and thinly peopled. In Scotland we have more furnaces in blast at the commencement of this year than at any corresponding period in the history of the trade, and even so the supply has not equalled the demand, and we have had to draw upon existing stocks; our total exports exceed by 10 per cent those of any previous year, whilst the prospects of demand for shipbuilding and railways at home and abroad is altogether unprecedented. But I believe there is in these very prosperities a voice of warning. The enormous increase in our consumption of coal in this and other great industries cannot continue in the same ratio without making alarming inroads on our resources for the future. The coal fields of this country, however vast, represent after all an ascertainable and an exhaustible supply, and the limits of that supply are being approached more rapidly than is generally realized; and, however the certainty of ultimate exhaustion and gradual enhancement of cost in the meantime may foreshadow changes in the future altogether beyond our control, it is undoubtedly a present and an urgent duty to practise a wise and thoughtful economy, instead of the somewhat improvident and spendthrift extravagance with which we have to some extent been chargeable in the past. In the Lothians of Scotland an almost entirely new industry has sprung into existence in the manufacture of mineral oil from the hitherto valueless shales which exist not only there but in the North of England and Wales—a source of unexpected wealth to the proprietors of the land, and of remunerative employment to large numbers of the people. The wages of labour are steadily advancing in all departments of industry, and with them the material conditions of our labouring people are likely to be improved, both as respects hours of labour, the character of their homes, and the education of their children—and it is probably in the experience of most of us how material a diminution there is in the number of those seeking the employment of domestic service, a sure indication of increased openings in other fields. And although the price of breadstuffs has been too low to be remunerative to our farmers, they have found in the enhanced value of all other agricultural produce compensation for that cheap bread, which, although so important an element in the prosperity of the country, is indirectly a source of loss to them. They alone, however, of all our people have been suffering under the pressure of a severe calamity.

The lamentable plague among our cattle to which the Address refers constitutes a claim upon our sympathy and help no less valid than that which was acknowledged on behalf of the Lancashire operatives three years ago. And without referring at any length to a subject which has been already so much more ably handled than I could pretend to do by the noble Lord the Mover of the Address, I may be allowed to express a hope that in so far as schemes of local help or mutual insurance or other means may be found inadequate to meet these losses, recourse may be had, as in the case of Lancashire, to the voluntary sympathy and aid of the community. I am persuaded that the response will be no less cordial and effective, and that the necessity is in many cases no less urgent in the one case than it was in the other.

The present Law of Bankruptcy has not answered the expectations of its framers; and the present system is too formal, tedious, and expensive to satisfy the mercantile community. Except in cases of dishonesty, they would prefer something with less of legal exactness and more of practical business promptitude. And they care less for extracting the uttermost farthing of possible dividend, at great cost of time and expense, than for getting what is to be got quickly, and dismissing an unpleasant subject, which a bad debt always is. The system in Scotland is simpler, and works better, and an assimilation to it in the English law is probably desirable.

The Commercial Treaty with Austria, which the Address announces, is another step in that great policy of international commerce for which we are so deeply indebted to Mr. Cobden, and no less so to the wisdom and friendship of the Emperor of the French. It is valuable as giving us access to markets representing the wants of upwards of forty million of consumers, and securing to us in return the grain, the timber, the wool, and the wines of that vast empire. But it is no less so as a means of cultivating the confidence and kindly feeling of a nation from which circumstances have somewhat estranged us, although with its subjects we have much in common. A prosperous commerce may do great things for Hungary and Poland in the future, however inadequate mere material prosperities may be to compensate for the sufferings of the past. And the practical prosperities of such a commerce may greatly contribute to the solution of questions in which the ambition and pride of Austria and the nationality and patriotism of Italy are deeply involved. Nor can the example of France and Austria be without influence on the other nations of the world. Spain and Portugal, which have hitherto repaid our past services by tariffs conceived in a spirit of the severest exclusion or the narrowest protection, and the nations of the North and West that still cling to the prejudices of the past in commercial legislation, will one by one learn the lessons of a more enlightened policy, and step by step we shall thus fulfil His designs who has so constituted the common family, and so furnished by variety of climates and products the abundant storehouse of the earth as that our necessities and wants and appetites should be, instead of occasions to bite and devour one another, means of mutual helpfulness, and messengers of peace and goodwill to men.

I have already trespassed too long upon the patience of the House, and would only be permitted, in one concluding word, to respond to those appropriate expressions of the Address commending our country and ourselves to that Divine protection and blessing whereby alone our efforts can be made successful and our properties maintained. Earnestly desiring that it may accompany us still, and that under its control we may in our day and measure contribute to that progress of truth and right towards whose consummation all histories of individuals and nations are surely tending — contribute not blindly and by the impulse of an irresistible fate, but with a willing, an intelligent, and a hopeful consciousness — I beg most gratefully to acknowledge the patient attention and indulgence of the House, and to second the Address which has now been proposed.

Motion made, and Question proposed, "That," &c. [*See page* 115.]

MR. BANKS STANHOPE: I owe an apology to the House for taking up a position which my standing does not perfectly warrant; but there is one point in Her Majesty's Speech upon which I desire to offer a few remarks, and that is the allusion to the cattle plague. But in the first place, I must venture to congratulate the right hon. Gentleman in the Chair—and the House—upon the fact that he has again been placed in that position—a position the duties of which I cordially wish him health and strength to carry out. Missing one familiar face on the Benches opposite, I may also be permitted to add that, opposed as I have always been to the Government of the late noble Viscount, I not the less sincerely regret the loss of that distinguished statesman. Further, I desire to congratulate the Seconder of the Address on the exceedingly able speech which he has just delivered, in doing which I am sure I am but expressing the feelings entertained by all who sit around me. I only intend to trouble the House on the present occasion with a reference to that part of Her Majesty's Speech which speaks of the cattle plague. I need hardly remind the House that it first showed itself in this country in July last, and I fear there is no one who can inform us how or where it came from, or how it will end. In dealing with this subject I will divide it under two heads—first, the past policy of the Government, and what has occurred with regard to the disease up to this time; and, secondly, whether it is possible in any way to stop the disease. This disease commenced in July last, and before the end of the existing year, if it continue with its present virulence, I am afraid one-half of the cattle will be lost. At the commencement of the disease neither the Government nor the people were alarmed, and up to October I do not think the country would have encouraged or have permitted the adoption of stringent measures, had the Government proposed them. Still, I must point out the inexcusable blunders which the Government committed in the early stages of the disease. In August the first of the endless series of Orders came out, and inspectors were appointed, for whose payment no provision whatever was made; and no power of any sort was given to magistrates to stop the passage from one part of the United Kingdom to another of any infected animal. About that time there happened to be a great cattle fair in Lincolnshire, and the bench of magistrates with which I was connected consulted their law adviser as to the best means of stopping infected beasts from coming in. He told them that neither according to law nor under the Orders of the Privy Council had they any security in doing what they contemplated. So they determined to act contrary to law, and gave directions to the police to stop all animals having the appearance of infection, and to take them to a place provided for the purpose. In that case, supposing the magistrates had chosen to obey the law rather than to disregard it, what would have been the consequences of allowing diseased animals to circulate freely? In September there was a great fair held at Barnet. Now I do not blame the Government for not having stopped it, for I do not think that at that early period the public was sufficiently aware of its importance to stop the fairs and markets from being held. Afterwards it became obvious to all that something should be done to prevent the spread of the disease, and then the Government issued an Order giving permissive powers for the stopping of markets and fairs. Now, I think permissive legislation is erroneous. If a thing is right encourage it, but if wrong forbid it, and not put magistrates, as in this case, completely in collision with their neighbours; because the bench of magistrates which does its duty is unpopular, and the bench who chooses to pander to the prejudice of its neighbours is popular. By giving permissive powers to stop fairs and markets, the Government allowed that fairs and markets are a source of danger. Now, if they are not dangerous, you have no right to allow any person to stop them and disturb the state of the country; and if they are a source of danger they are so everywhere, and the Government should have taken upon itself the duty of stopping them. If I go to Northampton and ask persons there how they got the disease among them, the answer is, "Simply and solely because the Government, in spite of warnings, allow beasts to leave the Metropolitan Market and travel to the country." One county imports it from the next, and so the matter goes on. By allowing unlimited facilities of railway traffic the Government deprive themselves of the only excuse for authorizing these permissive Orders to stop fairs and markets, because if a cordon had been drawn round each individual county, then the magistrates and authorities within might have been allowed the option of permitting the circulation of cattle in that county; whereas, under the present system, the losses that have occurred in Lincolnshire are due to cattle imported from Yorkshire. Six beasts were brought into the county; six persons were found foolish enough to buy them, and thousands of pounds have been lost through those cattle. The Government after September got a little more alarmed, and in November a deputation from the Royal Agricultural Society waited upon the Home Secretary, and pointed out to him what measures were requisite to prevent the rapid spread of the disease. That deputation and their recommendations, I am sorry to say, did not meet with that respect it was entitled to, when it is remembered that the Royal Agricultural Society fully and clearly represent the opinions of the farmers of England. That body, to which the agriculturists gave their allegiance, made four requests —that a total stop should be put to railway traffic in live animals; that all foreign animals should be killed before entry; that infected hides should not be carried about England, and that town manure should not be suffered to spread infection broadcast. The Order which the Government brought out in the middle of December, enabling magistrates to prevent cattle going from one district to another, did some good in a limited way; but it did not work well, and ten days later another Order came out giving the power to the quarter sessions. Again, a little later, there was another Order, and finally, a few days ago, an Order explaining all these. This last Order shows convincingly the importance of the points urged in the petition of the Royal Agricultural Society. A great deal has been said throughout the country with respect to hides and town manure. If hides are not dangerous, the Government had no business to stop an important trade. If they be dangerous, the most stringent measures ought to be adopted as regards those articles. As to town manure, if you allow it to go to the south of England, the great probability is that, even should the disease be stamped out for the present, it will be spread over every part of England in the course of next summer. It is now known that for the cattle disease medicines are of little good. I was told, on the authority of a cowkeeper who had lost 120 head of cattle, that there was no remedy but isolation, no cure but the poleaxe. But how would you deal with isolation—at what season would you carry it into operation? In summer, when every animal would be in the field, and when, therefore, the cattle would be brought into immediate contact with one another? Or ought such a measure not rather to be carried out in winter, when the cattle are in their respective buildings? The mortality has gone on gradually increasing from 8,000 to 9,000 and 10,000 head of cattle weekly, until it has suddenly leaped by an increase of 1,400 to 11,400 a week. Indeed, looking at what has taken place, I am surprised the disease has not spread more than it has done. You have forbidden hides and town manure to be carried about in the month of January. I presume it was in the belief that their being carried about was dangerous in that month. But if it were dangerous in winter, why was it that it had not been thought dangerous in September and October? Who can tell to what extent the removal of hides and town manure may not have led to the increase of the disease? You have lost three months, and thereby have omitted to avail yourselves of a golden opportunity. Even should you now enforce the most stringent measures, it would be impossible in any way to bring things to such a state by the month of April as that restrictive Orders would no longer be necessary. You will then have to deal with a double difficulty. On the 6th of April there is generally a great change of tenancy. If a man leaving a farm have a lot of stock he cannot leave them there. Again, he cannot sell them, because, according to rules in force in every county, stock could not be moved except for immediate slaughter. A man so situated would, therefore, be unable to find a purchaser. If these rules are adhered to you will inflict unmerited ruin on an industrious class of men. On the other hand, if those rules be abrogated, what danger may not arise to the entire country? There is another consideration in connection with counties in which, if animals are to be fed at all, they must be brought through intermediate plough-land to the lowlands on which there is food for them to eat, and which require cattle. If the rules of non-removal be in force, you will find those lands lying deserted, while in other places there will be thousands of cattle with nothing to eat. Again, if you permit cattle to be moved through intermediate land to the lowlands, there is no knowing how many thousand cattle may be affected by the few which, to all appearance, were in good health. I believe it is not possible to stamp this plague out, but I believe it is possible to check it. If stringent measures be not adopted the ratio of increase may rise still higher, and by the month of April we shall have a mortality of perhaps 20,000 head a week. Clearly the evil must be met by bold measures which have not been adopted before. I know it is easier to find fault than to act; but I do say that the Government ought to have acted on their own responsibility — they ought to have exercised their own authority. They ought to have issued compulsory instead of permissive Orders. They ought to have stopped every market and fair in the month of September; and they ought to have taken two other decided steps also. They ought to have stopped all railway traffic in live cattle, and they ought to have slaughtered every imported animal at the port of entry. I may be, perhaps, accused of advocating despotic measures; but I confess, that in 1866 I have not the same feeling with respect to the unmitigated evils of centralization and despotism I had in 1865. I believe that much of the happiness and national feeling of this country depend on our local self-government; but when I see confused mayors and confused magistrates trying every experiment, and in vain endeavouring to understand a succession of orders one more confused than another, I come to the conclusion that when you want to do anything well centralization is better than a policy which made "confusion worse confounded." I have some doubts as to how far our constitutional government is suited to a time when we wanted a sharp hand and a quick eye. At a time like the present, when there is a great existing evil, and when the possibility of a coming cattle famine is hanging over us, I believe there could be no greater evil for the inhabitants of a country than to live under the rule of a responsible Government which should shrink from all the consequences of direct and vigorous action. Though I am not in a position which can give any unusual weight to my words, the House will, I hope, allow me to state what in my opinion ought to be done, and what, indeed, must be done. In the first place, I maintain that it is indispensable to put an end to all traffic in live cattle. All animals coming from abroad ought to be killed at the ports they arrive at. It will be necessary to adopt a compulsory plan similar to that which has been tried at Aberdeen with considerable success, by killing every diseased animal and every healthy animal that has come into contact with a diseased one. In such cases a fair compensation must be given for the animals destroyed. By the Minute which has been issued on the subject, animals cannot be removed from one field to another, or sent to market. I might compare the conduct of Her Majesty's Government to that of a great philosopher—Sir Isaac Newton I believe it was—who made a large hole for the cat and a small one for the kitten. They have obstructed trade in every county by the regulations which they have laid down; while, at the same time, they allow the Great Northern, the Manchester and Sheffield, and other railways to carry from all parts cattle which might or might not be infected. The Order which has been made that no animal should be sent to any market if the plague has appeared within a month within a mile of the place cannot possibly be carried out. It will certainly be evaded. For my own part, I feel confident that the effect of the magistrates having made such stringent regulations has been to render live cattle very much more valuable in the market than dead meat. The consequence of this is that every man who manages his farm properly will carry its live cattle to London, Manchester, Bristol, and elsewhere rather than kill them. How can you call upon any county to stamp out the disease when railways are allowed to bring it within their boundaries? It is impossible to carry out your late orders against sending beasts to fairs or markets so long as you allow a system of traffic in such beasts by the railway. If those who object to the plan I am going to propose can suggest anything better I shall be glad to listen to them. Unless some measures of the kind I have to propose are adopted, there will be next year a fearful amount of disease. My plan is not permissive. It is very stringent and very strong, and will probably meet with considerable opposition. The English people never like anything compulsory, because everything that is compulsory in this country appears to be despotic. I will, however, suggest a plan which is short, clear, decisive, and not permissive. It is this, that the Government should at once introduce and pass as quickly as the forms of the House will permit—for there is no time to lose —a Bill compelling all the magistrates in every county at once to levy in, and for the use of their county only a rate to be called the "Rinderpest Fund." That rate, I propose, shall be of a twofold character. The first will be a rate on all property which is subject to the poor rate; while the second will be a rate on all live cattle now in England. Even without the second rate there might be considerable justice in levying one upon all descriptions of property; because, unless we are assisted by God, and assist ourselves, England will be visited by the most terrible calamities. The scarcity of meat, and the consequent increase in its price, will prevent the inhabitants of small houses in towns from eating meat at all. Now, the labouring population cannot work without having meat; and, therefore, if meat rise from 1*s.* 6*d.* to 2*s.* per pound, it must necessarily lead to an increased rate of wages. Therefore, it will be warrantable to levy a rate upon all kinds of property. But lest there should be the old feeling of "town against country," I propose an additional rate on every head of cattle alive, so that the owner of live cattle will pay a double rate, one on his cattle, one on his other property. If a plan such as that I have ventured to suggest be adopted, the next course will be to give orders that the magistrates of every county shall take such steps as they think fit on any day of any week to value all cattle not infected which are in their respective counties— the Rinderpest Fund to be managed by a committee of farmers, the magistrates sitting with them. Every person possessing cattle afflicted with the disease to have them slaughtered compulsorily, and any one having healthy animals in close proximity to others which are diseased to be advised or compelled to sell the healthy ones and receive the price they fetch, together with so much added as will amount to two-thirds of their value. In a small way this has been done within a mile of my estate. As an instance I would mention a person who had lost some cattle, and had one animal ill. On applying to an insurance company he received permission to slaughter those which still remain in a healthy state, and he accordingly did so. The beasts were valued at £15 each, but in the market they fetched only £6 10*s.*, so the committee made up the difference between the last-mentioned sum and two thirds of the value—namely, £10. A tenant in this way derives the additional advantage that he has no expense, he has no risk of infection either in his manure in the yard or in the grass field. The insurance company, in the case I allude to, owed the tenant for twenty animals at £3 10*s.* each, or £70; by the other plan they would have to pay him £10 each, or £200; so that the society would save £130. Twenty animals were thus sent to market in a perfectly healthy condition, and were converted into food. This, however, was a small part of the advantage; there was the important relief that the twenty animals could occasion no more anxiety. On the other hand, when the animals could not be got rid of what had happened? They died one by one, until the farm became a head of corruption and a centre of contagion. The mental relief acquired by the consideration that animals on the surrounding farms were not liable to be poisoned was a real gain to the whole neighbourhood. If this plan has answered for one parish of North Lincolnshire, why might it not answer for the county? And if it answered for the county of Aberdeen, in a voluntary shape, why should it not for all the counties of England? It may be asked, why not copy the example of Aberdeen? For this reason: in most cases anything voluntary is simply spoliation, and the more a willing man gives, the more he saves the pocket of his stingy neighbour. We have a great calamity to meet, we have a hideous cloud overshadowing us, and the plague must be stopped at all risks. Knowing that there are in the House several Gentlemen who sit here for the first time, I cannot be wrong in indicating where the responsibility now rests. Before the meeting of Parliament this onerous responsibility devolved upon the Government who accepted it; but since the meeting of Parliament, every Member of the House is as individually answerable for the future as is the Government. If there be vacillation, it will be ours; if anything decisive be done, it will be owing to our energy. The country has justifiably given up all hope of much display of energy on the part of the Government; but it does expect that they who know the sufferings of their neighbours, who know the desolation that prevails through the length and breadth of the land, who know thoroughly what has happened, who know that the great evil was twofold, and embraced the killing, not only of those animals that had the rinderpest, but of store cattle and of calves, so that the future stock was endangered, should recognize the responsibility which has now fallen upon them. We are a new Parliament entering upon our duties, and we shall grossly neglect them and abuse the confidence placed in us if we do not devote all our energies to this important subject, and to this subject alone, first, making all other matter subsidiary. Let the question of the reform of the representation wait; let the consideration of what has been done in Jamaica wait; and let other interesting questions wait; but the cattle plague will not wait; it is a question of months, of weeks, of days, and of hours. The loss—11,000 head of cattle a week—is nearly 2,000 a day, and as the victims of the plague increase in number so will the difficulty of stopping it increase. The longer we delay our measures the longer those measures must remain in operation. If stringent measures are not taken now, they must be taken shortly. If we do not stop the railway traffic in live animals now, we must do so by-and-by. If we postpone that measure until April, we shall not stop the plague this year; and if we do not stamp out the disease before July, we shall not put a stop to it by 1869. If we are to go on as we have done hitherto, I fear that, unless this Parliament be more long-lived than it is generally expected to be, we shall leave the duty of stopping the plague to our successors. I have spoken warmly of the past because golden moments have been lost. In the light of the past the very idea of the future appals me. Therefore, in my humble position as a Member of Parliament, but representing a large agricultural constituency, I have thought it my duty to place my plan before Parliament, and to leave it to others to carry it out. Humble though I am, I would not willingly submit to the humiliation, at such a crisis, of being a consenting party to the continuation of a wilfully weak, vacillating, do-nothing policy.

Mr. DENT said, he concurred in the belief that much valuable time had been lost, and that the disease had made such inroads that those brought into contact with it were perplexed to know how to stop it. He could not acquit the Government of blame for this delay. The disease appeared in the month of June, a Royal Commission was appointed, and reported to the Government on the 30th of October. It stated the reasons on which it recommended the total suspension of the conveyance of cattle; but neither the country nor the agriculturists were at that time prepared for so strong a step. But the Government might have boldly carried out the recommendation of the minority of the Commission, especially when they were urged in December by deputations representing the Royal Agricultural Society, the Farmers' Club, and the Smithfield Club; and, through them, the bulk of the agriculturists of the country. These important bodies wished, above all things, to secure general action throughout the country, so that the matter should not be left to local authorities of different opinions. The result of these deputations was the giving of additional powers to magistrates in petty sessions, but so conflicting were the powers thus exercised that farmers were fairly perplexed and at a loss to know how to conduct their business. As a consequence, in districts he could name, the numbers of cattle had been reduced from thousands to hundreds. In a district where there should be nearly 2,000 head of cattle there were not fifty, and in three villages where there usually were 600 head of cattle not more than fifty were left, not because the cattle had perished from the disease, but because the farmers knew not what to do, and sent all kinds of cattle to market, selling them at serious loss—some, in fact, not being fit for market at all. In January powers were given to courts of quarter sessions, on the supposition, which had not been realized, that they would cause greater uniformity of action. From what had fallen from the hon. Member for North Lincolnshire (Mr. Banks Stanhope) it appeared that the practice was different in North Lincolnshire to what it was in the West Riding, and it was different again in the North Riding and in the East Riding. What he complained of in the conduct of Government was the want of a due sense of responsibility in the non-issue of orders which should have been uniform in their operation throughout the country. The Government were bound at once to bring in a measure to authorize the slaughtering on the premises of all cattle attacked —in fact, the carrying out of the system adopted with success in Aberdeenshire. Voluntary effort failed in matters of this kind; what was done must be done compulsorily and with uniformity throughout the country. He doubted whether it was possible now, when farmers must purchase grazing cattle to stock pastures, to stop altogether the removal of cattle; but, wherever cattle were attacked, isolation and destruction must be resorted to. Of course, those whose cattle were destroyed must be compensated, and they might be compensated at a less cost than was ordinarily supposed, for the cost was found a trifling matter in Aberdeenshire compared with the value of the animals saved. It would not be an unfair thing if the burden were thrown upon the county rate. If it were thought that some descriptions of property should not bear it he could say that such a rate levied upon landowners and tenants would be cheerfully paid. Although farmers were considered by some to be a grumbling and complaining race, in his own locality they had evinced a ready cheerfulness to meet their losses, and to submit themselves to the law if they only knew what the law was. He never saw losses so bravely borne as these losses by the cattle plague had been borne. What the farmers complained of was that there was one order in one district and another in another, and that they were fairly puzzled to know what to do. In the West Riding, besides the quarter sessions, there were ten corporate towns; and the *Leeds Mercury* contained an advertisement relating to Wakefield, to the effect that every facility would be given for the removal of cattle and sheep. The advertisement completely overturned all the orders that had been made for the West Riding. His object in speaking was to enforce the advice given to the Government to take up the question themselves, and bring in a Bill, if it were necessary, taking power to deal with the matter thoroughly throughout Great Britain and Ireland, and to establish a system of isolation and destruction. If they were to avert the disease before the early months of summer that was the only way it could be done.

Lord ROBERT MONTAGU said, there were two important matters which had to be considered with regard to the cattle plague—our future course of action, and the feebleness and incompetency which the Home Office had shown in attempting to deal with the calamity. Certainly, the former subject had received a great deal of elucidation in the able discussion of it by the hon. Member for North Lincolnshire (Mr. Banks Stanhope). But there was the other point which had not yet been touched on in the discussion of the subject and which he trusted the House and the country in general would bear in mind, and that was the action taken by the Government to meet the emergency and restrain the plague. It should be remembered that the attack of the disease had not been so sudden that the Home Office was destitute of all knowledge of its nature, and could not have foreseen the necessity of initiating measures of prevention. It should be recollected that it had for many years been generally known in this country that the cattle plague always extended itself from Russia in the direction of every line of communication established by trade. It was known that as soon as trade was opened with Russia the disease would invade the shores of England. Acting upon that knowledge, the Government of the day sent Professor Symonds abroad to study and investigate the nature of the cattle plague. The result of his investigations and Report was that the Government — on the 7th of April, 1857—when Parliament was not sitting, passed an Order in Council to prevent the introduction of the rinderpest to this country, thereby showing that the Government had full power to pass such Order in Council. Now, bearing that in mind, let the House consider what has been the action of the present Government? The cattle plague was introduced into this country on the 19th of June. The first cargo sent from Russia to this country was shipped at Revel; and it could be stated, on the authority of Professor Gamgee (who made a statement with respect to the matter at a meeting of the Social Science Association), that three of the cattle intended for shipment died on their way from the interior, and one took so ill that it had to be killed in the shipper's yard. For the value of this beast an action was brought. But the action was lost, from its being proved that the beast had the rinderpest. Another beast fell ill upon the passage to England. The vessel ultimately reached England, and the cattle were landed at Hull and were sent up to the Metropolitan Market. It would thus be seen that a whole cargo of cattle, amongst which the infection was known to have broken out, was not only landed at an important seaport, but actually conveyed without hindrance to London, at the great risk of spreading the plague. As early as 1857 there had been a very strong feeling that cattle imported from abroad, and especially from diseased localities, should be subject to quarantine. The Government of the day replied that the people of England were not yet aware of the danger, or, as the hon. Member who moved the Address had said, there was not panic enough in the country to warrant it. That was the Whig notion—that the Government could not do what was best for the country without being pushed and driven into it by an agitated people. No restriction was therefore, at the time, put upon the importation of animals, and the country was now suffering in consequence. If a quarantine had been ordered much evil would have been avoided, and the case he had referred to could not have occurred. On the 10th of July Professor Symonds attended a meeting of the Privy Council, whence he proceeded to the Home Office, to inform the Home Secretary of the great danger that threatened the country, and urged—nay, implored—him to lose no time in taking up and dealing with the question, for it was most urgent and the peril most imminent. Now, what did the Home Secretary do? He took a fortnight to consider; after that fortnight had elapsed he produced the Order in Council of the 24th of July. That Order was confined to the area of the metropolis; but on the 11th of August it was extended to the whole of England, and on the 18th of August to Scotland. If they contrasted such a delay on the part of our Government on a matter of so great importance with the prompt and decisive measures adopted in foreign countries, they would find a remarkable difference. All foreign Governments made it to be the interest of persons to declare to the proper authorities the presence of disease when it broke out among their stock—that is to say, full compensation was given for all animals which were killed, in order to prevent the spread of the disease. The English Government, on the other hand, made it the interest of every one to hide the existence of the disease; and not only this, but the Government induced those persons to sow it broadcast over the land. In fact, for a considerable time the Metropolitan Market had thus become a centre and focus whence the disease was radiated throughout the country. But what was the effect of the Order? Inspectors were appointed, who had the most despotic powers over the life and death of all cattle, and these very inspectors went about to slaughter and slash, and received a benefit for the beasts which they killed, while the farmers were not recouped for their loss. The consequence was that the farmers, instead of informing the inspectors whenever the disease first showed itself, sent their cattle away as soon as they could, and, having brought them where they obtained the full price, the metropolitan and other cattle markets became the *foci* of disease. The Home Office had not stopped there. It was well known that a labourer, or even a dog, might carry the infection. Well, what did the Government do? They sent the inspector to the farmyards where there was disease, and the inspector dabbled in the blood of the diseased animals, and brought the disease away with him to all the healthy farmsteads around which he had to inspect. So that this Order in Council, and the appointment of the inspectors, spread the evil instead of restraining it. The disease had been produced by importation, and the Home Office might (without taking a fortnight to consider) have issued an Order in Council to put some restrictions on importations; although not such a one, perhaps, as the hon. Member for North Lincolnshire suggested. The Home Office might have established a quarantine for ships carrying animals from countries where the disease existed. But they have not done so as yet. What was the next occurrence which showed just as much the apathy of the Government in this matter? The Irish Members went to the Home Office, and requested the Home Secretary to put some restriction upon the importation of animals into Ireland. This the Home Secretary refused to do, saying that he feared and could not venture on such a decisive step. The Irish Members then drew up a memorial, promising that they would take upon themselves the full responsibility attaching to such a measure, and the result had been that Ireland was free from the cattle plague to the present day. He begged to thank the Irish Members for a lesson in energy, and showing them how they should deal with a timid and apathetic Home Secretary. There next came the Petty Sessions' Order in Council. By this document the Government said to the magistrates and mayors of the whole country, "Do for yourselves whatever you think best; you must defend yourselves; the paternal Government will do nothing for you." Sir, if an enemy landed on the shores, would the petty sessions have to provide defence for our homesteads? Would the Government still do nothing? And what greater enemy could invade the country than this dire calamity? If a fire raged in London, is the householder permitted to deal with the flames? No! the recognized Government interfere. And what worse fire than this cattle fever? "Oh! but," says the Home Secretary, "the people are not yet conscious of the amount of the danger, they are not 'panic-stricken' as yet." But if you saw a man lying wounded and insensible, would you forbear to staunch the flow of blood because the poor wretch was unconscious of his position? Here, again, therefore, we see to what apathy, to what loss, the Whig doctrine leads—for what timidity and hesitation it is the excuse. Then, a metropolitan committee went to the Home Secretary and urged him to take some steps, after three months' ravages of the plague, to stop it. He said, in reply, "We are thinking of issuing a Commission to inquire into the nature and origin of this disease, and we shall do so presently." Well, a Commission was issued; but, when they reported, the Government were afraid to follow their advice, yet the disease was so tremendous an evil that the country would submit to any amount of vexation; nay, any restraint would be received as an absolute boon which succeeded in stopping the plague, and Parliament had already given all the necessary powers. But the Home Secretary was apathetic, timorous, and hesitating. On the 8th of December the Council of the Agricultural Society waited upon the Home Secretary; and what was his answer? It was, "Wait and see whether the disease will become more general." Wait! Why, the very thing that was complained of was this waiting, this hesitation, this dread of responsibility, this dilatory inaction and pusillanimous apathy. "More general!" Why, 4,000 beasts were then dying per week, and now it was nearly 12,000. Perhaps hon. Gentlemen could hardly picture to themselves what that really meant. When coming down to the House he was informed by a butcher of whom he had inquired, a man of great respectability and knowledge, that the carcass of an ox of moderate proportions weighed 100 stone of 8lbs. per stone; and that, after making an allowance of 20 stone for bone, hide, and offal, there would remain about 640lb. of good meat; and Mr. Lucas, who supplied the dinners for that House, told him that 640lb. would make dinners for 800 gentlemen. Well, multiply that by 12,000, and the sum total of our loss each week was no less than 9,600,000 dinners. [*Laughter.*] When they considered not only the farmers, but the operatives in all our towns, that were affected by this loss, it was no laughing matter. Let it be remembered that all this loss was not occasioned by the fault of the farmer, and not even secondarily by the judgment of Heaven, but by the apathy, and want of decision, and incompetence of the Home Office. Then came the Order in Council of December 16th. But that merely changed "Petty Sessions" into "Quarter Sessions." This was intended as an enlargement of the area; but it did not interfere with the railway traffic in cattle, with the landing of cattle, nor with the jurisdiction of boroughs within counties. Boroughs might have cattle sent into them, and might lodge them, and thus spread the disease; and a man might drive his cattle through a county, and there was no power to stop the cattle. All that could be done was to summon the man before the next petty sessions; but when the day for hearing the case came round, he might be sixty miles away. Hence there was nothing in this Order to prevent the spreading of the pest to every corner of the kingdom; and no restriction on importation. In fact, he knew of instances where infected cattle had been sent off to distant markets, and had brought the plague to those towns. He had been in Northumberland when it was free from disease, and he knew that cattle were sent into it from the south in an infected state. He had also been told by a large landowner of Northumberland that the shore was strewn with the carcases of beasts. Why was that? He said they were sending over beasts from Holland and other infected places, and when they arrived near our shores they threw the diseased Jonases overboard, and sold the remainder of the infected cargo at full price. In this way the disease was not only spread in the country, but was actually imported into it. Moreover, in local authorities there was no promptitude, where despatch was essential; there was no uniformity, where variation was destruction. Therefore, replacing "Petty Sessions" by "Quarter Sessions" was doing nothing but sewing new cloth upon an old garment which had been proved to be rotten. But there was another fault. This Order in Council was not to come into operation until the 3rd of January, and the acts of quarter sessions date from the 1st, and consequently the quarter sessions, unless they set themselves against the law, as they might very safely do in these days, could not even take advantage of the Order in Council, or come under those powers which the Government pretended to have given. But, what was done in other countries? In France, the moment this rinderpest was heard of a report was presented to the Emperor, and a decree was issued on the 5th of September to prevent importation without a previous quarantine, and to give compensation for all animals which were killed. In a short time there was a diseased animal found near the Belgian frontier, but they destroyed all animals which had thus become infected, and thus stamped out the plague, and the whole disease was annihilated in that country with the loss of only forty-three beasts. The same was done in Belgium, where the distemper was stamped out with the loss of from 500 to 600 beasts. Similar precautions were always adopted in Galicia, where also they gave full compensation. We also were no strangers to the proper remedy for a calamity of this kind. The great plague in England occurred in 1745; it was met by Orders in Council, and it lasted twelve years; until we learned the necessity of isolation, slaughter, and compensation. It appeared three times afterwards—first in Suffolk, in 1769, next in Hampshire, in 1774, and again in Suffolk, in 1781, and each time it was instantly stamped out by the same means—namely, by offering compensation to the full value for every infected beast which was killed. So now also, if a cordon had at first been drawn round the infected districts the plague could not have spread. But what had been done by the Home Office? Why, in the first place everything was done too late, and in the next, it was done in such a manner that it was certain to be inoperative. The Home Secretary began first by slaughtering "the suspects." He slaughtered them without giving any remuneration. What more arbitrary proceeding could be perpetrated? And yet the Home Secretary was afraid of taking on himself the smallest responsibility, or doing anything to check the spread of the disease, lest "he might be accused of centralization." He then allowed the local authorities to make a sort of patch-work and variegated quilt of legislation, which proves heterogeneity was useless, and proves tardiness was destructive. The fact was that the Home Secretary was afraid of responsibility. He was not ignorant of the danger, but he could not bring himself to act; and yet he was supported by his own Commission, by the Agricultural Society, by the Smithfield Cattle Club, and by public opinion. He (Lord Robert Montagu) would venture to say that any amount of vexation which the Home Secretary might have chosen to impose, provided he had stamped out the plague, would have been received as an actual boon. The Government could have stopped the plague, and yet did that only which tended to spread it. It was only fair, therefore, that the farmers should not bear the loss, but that they should be recouped for that which they had sustained. It might be said that the Government had been taken by surprise. But how could that be the case when we had the annals of this country and the example of other countries before us to tell how to act? How could it be when we had the instances of Ireland and Aberdeen? The Home Secretary could not have been surprised, and he was not. He had, to use the words of Bolingbroke, the advantage of—

> "This fortress framed by nature for herself
> Against infection and the hand of war."

That gave him a great advantage which

other countries lacked. Therefore the Home Secretary cannot plead ignorance, nor surprise which proceeds from ignorance alone. It was the late Sir James Graham who first advised farmers to cease ploughing and apply themselves to feeding stock. Since that time Members at county meetings and agricultural dinners had constantly recommended the same course, and the consequence was that our system of agriculture depended now more than ever on stock feeding. That is to say, the capital of the farmer is shut up in grass land, and cow byres, and oilcake, and green crops. The public did not now feel the calamity which was impending. They did not feel the famine of cheese and butter and milk and beef which would ensue. For there was now no breeding of cattle, and no store cattle were purchased to supply the wants of other years. Nor did this condition of affairs apply to the agricultural interest alone. What would the operatives in the towns do? Would they eat beasts which had stood for ten days in their own dung in ships, and were then sold for exorbitant prices? Look at the famine which would come on. The farmer would be pinched in means, and therefore when prices were high wages would be low; we should have empty stomachs and the discontent and disturbance which always attends upon hunger. Some Gentlemen seemed to imagine that the injuries done to farmers by the plague could be entirely repaired by temporary indulgence on the part of their landlords, or that it was a question of an impoverished farmer going out, and a richer one succeeding. If the entire stock of a farmer was swept away by the plague, and the landlord forgave him his rent for that year, it must be remembered that he would still have to meet his next year's rent. And how could he do so after suffering such a loss? He had barely enough left to feed his family; none to save and employ as capital. How, then, can he battle on against want? His grass lands, his green crops bring in no return. Even if the landlord allowed the farmer to plough the grass lands, serious an injury as that would be to the interests of the former, it could not be of any permanent assistance to the latter. For how can he buy the seed to sow it? Where will he find dung to manure it? The farmer had, after the loss of his stock, no capital to carry on the operations of his farm, and therefore the rotation of crops would be impossible, and the land would be injured. The large sums which he had expended in oilcake and cow byres would, after the loss of his cattle, be therefore entirely unproductive. Among the numerous remedies that had been proposed was that of a system of county assurance, by which sufferers by the cattle plague would be recouped their losses. He was astonished that any one having the slightest knowledge of what assurance really was could make such a proposal. By the system of mutual assurance the losses of a few are divided over the great number who lose nothing. The quotas of the many who escape pay for the losses of the few who are hit; but, he asked, what possible assistance could they derive from assurance in the present case, when the cattle of an entire county may be swept away by the plague? Insurance was a very proper means of preventing individuals from suffering excessive injury from isolated accidents, but it would be quite useless when, as in the present instance, a great calamity had fallen on the entire nation. It was acknowledged that this must be unsuccessful if confined to parishes, for one parish would be crushed even if another escaped. Hence it was proposed to enlarge the area to counties. But may not a whole county be ruined? Then extend the area of your benevolence to the whole nation. The right hon. Gentleman (the Chancellor of the Exchequer) had recently written a letter to *The Times* on the subject of the cattle plague. Now, he (Lord Robert Montagu) was not about to allude to that letter in any hostile manner or in a spirit of criticism; on the contrary, judging from that letter, he claimed the support of the right hon. Gentleman himself. The Chancellor of the Exchequer said that, in case the cattle plague should extend itself on a large scale, it was the duty of landlords and neighbouring proprietors to assist those who suffered, and that all rateable property should bear the burden. He contended that in that passage the Chancellor of the Exchequer had admitted that there was a special claim on all persons to assist those who have suffered from the plague. The Chancellor of the Exchequer said further, in his letter, that there was "a special claim on the landlords." But landlords do not share the gains; they do not double the rents in good years; yet he holds that they should bear a portion of the losses. And if, as the Chancellor of the Exchequer said, all rateable property should be taxed to assist those who suffered from the cattle plague, the burden of such an excessive and widespread calamity is not to be met by any particular class. He quite agreed that the only fair way to meet the difficulty was to indemnify the sufferers by a tax levied on the whole nation. In another document which also appeared in *The Times*, it was argued that, "When a particular interest suffers it is not just that the whole nation should assist," for, it continued, "the whole country does not share the gain; therefore, it should not share the losses." Now, he would ask the Chancellor of the Exchequer, did the landlord, whom he seemed to think ought to recoup the losses which the farmers suffered from the plague — he asked him, did the landlords share in the gains of the tenant? He certainly did not; for if the tenant had a very good harvest the landlord received only the usual rent, and was in no way benefited by the increased profits of the farmer. By what reasoning, then, could he show that there was "a special claim" upon the landlord? In another portion of the letter they were asked, "Should a fisherman be indemnified for his losses at sea?" This was not a case of a fisherman losing his nets; it was not the case of an individual being injured. A great misfortune had fallen upon an important industry, and the country was bound to come forward to its assistance. This principle cannot be extended to individual cases; for these, in the first place, cannot all be investigated; and, secondly. it is impossible to separate individual shortcomings from unavoidable calamities. Moreover, individuals were essentially different from industries. For if an individual be ruined, the rest of his industry is *pro tanto* better off, and the nation is not injured. But if an industry be ever so little crippled, the whole nation suffers. Hence you cannot argue from the one to the other. There were now two questions before the House—the first being whether or not the nation was to pay for the cattle killed by the inspectors. He did not believe that any man would deny the national responsibility in this case. The cattle had been slaughtered for the benefit of the nation, and most certainly the nation was bound to pay for them. The second and more important question was—Are the Government bound to recompense the farmers whose stocks have suffered from the ravages of the cattle disease? It was his firm opinion that in the interests of right, justice, and even of expediency the nation should assist those who had suffered by this heavy and unexpected calamity.

MR. CARNEGIE said, with a great portion of the speech of the hon. Member for North Lincolnshire (Mr. Banks Stanhope) he fully concurred, particularly when he urged the immediate attention of the Government to this question. But he did not think that either the hon. Member or the noble Lord who had just sat down had done justice to the Government, inasmuch as they appeared to blame them for not having the gift of prophecy. ["No, no!"] It was, however, desirable that they should act upon one uniform system, because, without it, one district might be made to suffer from the conduct or negligence of the magistrates in another. It was owing, in a great measure, to the apathy of the magistrates in Stirlingshire, that the disease had been allowed to spread over the whole of Scotland. It appeared to him to be unfortunate that the measures introduced by the Government, some two years ago, for effecting certain alterations in the cattle plague of this country had fallen through from want of support in that House, and from the stringent opposition of certain bodies who now put themselves prominently forward in asking for the adoption of a measure which they had before opposed. One of those bodies was the Highland Society of Scotland, which had played fast and loose in relation to this matter. He hoped that the Government would act promptly and decisively on this subject. He thought that the proposition made by the hon. Member for North Lincolnshire for a double rate, in order to exempt those who had lost their stock, was objectionable, inasmuch as those who had already suffered by the loss of their cattle would have to pay as well as those who had not suffered any such loss. That would be manifestly unjust. If those who had had the misfortune of losing their stock were not to be compensated, they ought, at all events, to be exempted from future charges made with a view of stamping out the cattle plague.

SIR MATTHEW RIDLEY said, that in the opinion of the majority of those whom he represented, responsibility should have been assumed and action undertaken by the Government at a much earlier period. They were not accused of want of sufficient energy in the earliest period, but improved and uniform arrangements ought to have been enforced by them as soon as the Report of the Cattle Plague Commission was issued. So many different and almost conflicting Orders had been issued by the Privy Council that the justices in construing them had felt themselves exceedingly perplexed. He hoped the Government in future would follow such a line of action as would enable the bench of magistrates to act with confidence. Matters had now reached such a point that in one town with which he was acquainted milk had risen from 6*d.* to 8*d.* a quart, and the children of the poor were crying for it, and unable to get it. At any of the local farmers' meetings which he had attended there never had been any suggestion of excluding foreign cattle for the sake of protection to farmers. All that they thought of was the necessity of feeding the people; and even with the improved appliances of scientific husbandry in the present day it was impossible to produce in this country all the food required for the consumption of its inhabitants. He considered that the Government were to blame for having allowed the traffic in the railway trucks to be carried out so long. They were wrong in allowing the transit of hides and offal, and also wrong in not insisting upon the local authorities of certain ports preparing quarantine or probation sheds. The traffic by railways had been one of the most dangerous and difficult elements with which they had had to contend. They desired to see Government take upon itself the line of action which would enable the bench of magistrates to have confidence. The farmers did not regard this as a class question, but as a national one. They said that this was the case of the nation—the sustenance of the people. They did not think that the proper, required, and uniform machinery had been put in motion by the Government. One of the greatest difficulties with which magistrates had to contend was the fact that entirely different regulations prevailed in different counties. The counties of Durham and Northumberland adjoined each other. In the county in which he resided they had adopted the Order enabling sheep to be brought back from turnip pastures in the remoter districts. When these became exhausted a *visa* of the local magistrate in the district from which they came was required, and also a *visa* upon their entry into the county. But in Durham, separated from them only by the Tyne, no such Order was in existence, and consequently Lord Durham, one of the largest owners of sheep in that county, when his turnips were out was unable to bring back his sheep except by a very circuitous route. There was one point which he desired to impress very strongly upon the Government—the importance of speedy action. At present he knew of no regulations governing the dimensions of vessels, the number of cubic feet of air, the supply of water, and the supply of forage or provender in the case of animals imported into this country. He would especially call the attention of the right hon. Gentleman the President of the Board of Trade to this circumstance. Emigrant vessels, carrying passengers to distant countries or colonies, were closely inspected under the authority of the Board of Trade, and it was his firm conviction that results not less beneficial would follow from surveys of a similar nature imposed by the Government, and vigilantly carried out with regard to all vessels engaged, not only in conveying cattle between Ostend and the eastern coast of this country, but likewise trading between ports in Ireland and the west coast of England. There had been a case to his own knowledge where the plague was brought into this country by cattle coming from Ireland. The hold being full, and the vessel having encountered a stormy passage, the animals lay on the deck ill, and to keep them alive they were occasionally sluiced with cold water. The cattle were disembarked at Port Silloth, and shortly after their arrival two of their number were mixed with other cattle to all appearance healthy. These cattle were bought by one of his tenants, who lost them all. With proper arrangements relating to the transit there would certainly be much less probability of disease; for at present the cattle came over sick, hungry, excited, and faint, and, being driven while in that condition, were most susceptible of infection. If once landed healthy, they could either be quarantined, or, if it was thought more advisable, they could be slaughtered at once. The more rapidly and the more thoroughly the Government recognized and advanced towards the principle of dead-meat markets and dead-meat conveyance the better. Let the utmost possible supply be conveyed by railway trucks in the shape of dead meat. The railways would carry the dead meat at a very little higher rate than that at which cattle were conveyed, and there would be a greater probability of it being conveyed in clean trucks. No such difficulty now existed in the matter as would have had to be encountered some years ago, when railways did not intersect the country. In every part of the country persons might now slaughter on their own premises, and convey the meat to the nearest railway station. As soon as legislation forced the matter on their attention, salesmen would be found to sell the dead meat at a fair rate. Even now this was practised to a limited extent. In vindication of the persons who had been appointed cattle inspectors, he must say that in Newcastle and many other places those officers had taken much pains to disinfect themselves. He had not risen with the object of animadverting strongly on the conduct of Her Majesty's Government, except as regarded what he conceived to be their dereliction of duty in not putting into motion the whole of the machinery at their disposal. Referring to the point of rating suggested by the hon. Member for North Lincolnshire, he believed that, as regarded his own county and other counties, a voluntary rating of the landlord, and a voluntary rating of the tenant, would find favour with them. For himself he would not object to the landlords and the tenants paying in the proportion of each one-half, though he would prefer, perhaps, that two-thirds should be borne by the landlord. Though he could see how there might be a composite rating to include other classes of property, he was disposed to think that at first a rating of landlord and tenant would be sufficient, without including all other classes of property.

MR. HODGKINSON said, that with the light of four months' experience it was very easy to point out how Her Majesty's Government might have done better; but it would be, perhaps, more useful to suggest how they should act in future. Several points had already been suggested for their consideration. There was another which he would take the liberty of mentioning, but which he was afraid would not be very palatable to Members of that House. He alluded to the carrying the infection by foxes. A number of cases had occurred in which it was very difficult to account for the way in which the infection had reached farms. The disease had appeared on farms eight or ten miles distant from the nearest centre of infection, and, as far as could be ascertained, no person had acted as the medium of communicating it. It was his belief that the only satisfactory way of accounting for the disease having reached such farms was by supposing that it had been carried by foxes. He knew that foxes were not in the habit of eating carrion unless it was very fresh; but those acquainted with their habits said they were fond of rolling about in it. As diseased cattle were sometimes buried at no great distance from the surface, and as the blood of those animals was sometimes left about the places where they were killed, it was highly probable that foxes, after rolling themselves in these places, ran here and there spreading the disease. He would be a bold man who in that House should counsel the destruction of foxes; but, at all events, a better system of interment and disinfection than now existed was very desirable, for the reason he had stated. He should also express his earnest hope that the Government would take the earliest means of establishing some system of compulsory assurance. He thought an assessment of cattle themselves would be the most satisfactory and just mode of assessment. The Bill necessary for such an assessment would probably meet with little or no opposition, and might be passed in a few days; but a proposition for assessing all property whatever would be sure to meet with much opposition, and a considerable time must elapse before it could become law. It might be advisable, perhaps, to have three rates of assessment—one for cattle under a year old, another for cattle above a year and under two years, and the third for cattle of two years old and upwards. He thought the rate should be paid by the tenants in the first instance, but that they should be entitled to deduct one-half of it from their landlords; for this was a question which affected landlords as much as it did tenants. As for assessing land, it must be remembered that some occupiers of land—market gardeners and others—had no cattle, and such persons no more ought to be called on to pay the assessment than a man should be who only occupied a house. Certainly some mode of insurance should be adopted, or they could scarcely expect persons to destroy their animals for the public good, unless they were to receive compensation for their loss. If the Government took immediate action in this important question, he believed they would earn the gratitude not only of the agricultural classes, but of the country at large. He wished to point out that the magistrates in petty sessions had issued conflicting orders, which caused great confusion; and he would also remark that the Order of the 3rd of January was not issued till after some of the quarter sessions had been held, and that it necessitated continual adjournments. The Government had neglected one remedy that might have been adopted —namely, the calling together of the Legislature, whose aid was greatly required in such an emergency.

Sir JOHN TROLLOPE said, he wished to point out the exceeding inconvenience to which local authorities were subjected through the Orders in Council. The right hon. Gentleman the Home Secretary had called on those authorities to perform duties which would have been more properly discharged by himself. In the first instance, the Orders in Council delegated those duties to the petty sessions. In the two Parliamentary divisions of his (Sir John Trollope's) county there were from eighteen to twenty petty sessions. Each of those sessions issued a separate order, without conference with the others, and much complexity was consequently produced. By a subsequent Order in Council the Government had thought proper to transfer these duties from the petty sessions to the quarter sessions. Great difficulty was experienced in carrying out that Order, as the quarter sessions was a body delegated for criminal and financial purposes only. Besides that, the Order in Council was dated the 3rd of January, whereas the quarter sessions had assembled in his county, and in several other counties, on the first of the same month. The consequence was that unless the sessions had been adjourned from day to day, and from time to time, all power would have ceased until the ensuing quarter. His (Sir John Trollope's) residence was fixed in a peculiar locality. He lived on the confines of three counties, and there were two other counties and a municipal borough within six miles, so that no less than six separate jurisdictions existed within six miles of one another, all issuing separate orders and acting upon different principles. The result is that the occupiers of land were put to very great inconvenience in carrying on their business, many of them holding lands in two or more of these counties. He believed the right hon. Gentleman (Sir George Grey) had given notice that he would, on an early day, bring forward some measure in reference to this subject. But he (Sir John Trollope) objected to be governed by Privy Council law. Indeed, he thought it contrary to the Constitution altogether. The Government did not think fit to assemble Parliament for six months after the general election, and during that period no less than eight separate Orders in Council had been issued. If this state of things were continued, we should in time be living under a system similar to the Council of Ten at Venice, or the Star Chamber law of a past generation. It was a neglect, on the part of the Government, not to call the House together. Did the British Parliament ever refuse to act in a moment of emergency? He believed that if they had been summoned in the autumn the country would not have been subjected to the heavy losses which it had sustained, and which had not been averted by the Orders in Council. He could say that the justices in sessions had everywhere endeavoured, to the best of their ability, to act in accordance with the rules laid down by the right hon. Gentleman and the Government, but they had not been sustained by uniformity of purpose at head-quarters, and had not up to the present time had any one to confer with in case they required advice. A number of most influential gentlemen in his (Sir John Trollope's) county asked his hon. Colleague to procure them an interview with the right hon. Gentleman the Home Secretary, in order that they might explain to him the difficulty in which they were placed, and describe the panic in their neighbourhood. The right hon. Gentleman fixed a day on which they were to meet him in London. They accordingly selected six gentlemen of information to explain their views, and these six gentlemen proceeded to town on the day appointed. Now, what happened? The right hon. Gentleman was not to be seen, and they were referred to the permanent Under Secretary, a learned gentleman who transacted the legal business of the Home Office. All he could tell them was that he would duly report their feelings and opinions to his chief; and when they informed him that the difficulty was that cattle not fit to be slaughtered were sacrificed because the Government would not reimburse the owners for their losses, all he could reply was that he had to pay very dear for his butcher's meat in London. That was all the deputation obtained by going to the Home Office. He must assert that the Government had not sympathized with the people in their misery and distress; and now, when it was too late—for around the spot where he lived there were villages which did not contain a hoof or a horn—the right hon. Gentleman the Chancellor of the Exchequer told the people that they must look to the landlords, their neighbours, and to rateable property. Now, he believed the landlords would meet their tenants and assist them; and he also believed that the tenants would submit to a rate levied upon a principle founded in equity and justice. But they wanted the action of the Government before they could do these things, and, therefore, they came to that House too late, so far as regarded his (Sir John Trollope's) locality. They asked the right hon. Gentleman to lay down some uniformity of principle, and not to delegate powers to quarter sessions or petty sessions, or any other local authority. We had a central authority to look to; we asked those in authority to do something in this matter. A man of religious feeling had said to him that the cattle plague was a chastisement passed upon us for our boast of our unbounded prosperity and wealth. But while not neglecting to implore Divine aid we ought also to look for human assistance, and surely it was to Her Majesty's Government that we ought to look for support. He must again object to the delegation of power to the country justices, who had done the best in their power to meet the emergency, and who had only been confounded by the number of contradictions and apparent inconsistencies in the Orders in Council. In conclusion, he wished to remark that those who were suffering from this great calamity not unnaturally looked for some support from the Government of the country.

Mr. BARING said, he was sure that there was no one connected with any of the measures respecting the cattle plague during the last six months, who did not cordially sympathize with that part of the speech just addressed to the House, where the right hon. Baronet (Sir John Trollope) expressed the feeling prevalent in the county which he represented on account of the great and severe losses suffered by the owners of cattle in that county. He (Mr. Baring) was sure there was no one in the House who sympathized more truly and sincerely than himself with those who had suffered, and he was sure that the feelings of his right hon. Friend the Secretary of State for the Home Department were the same as his own in this matter. He (Mr. Baring) ought, perhaps, to explain the position of the Home Office in regard to the cattle plague, as that Department had been so particularly alluded to by the noble Lord the Member for Huntingdonshire (Lord Robert Montagu). The whole power possessed by the executive Government in respect of the cattle plague was conferred by the 11 & 12 *Vict.* c. 107—one clause of which Act enabled the Lords of Her Majesty's Privy Council to make certain orders and regulations. He thought it hardly necessary for him to say in that House, which had for so long a time seen the Secretary of State exercising the functions of his Department, that he was not the man to shrink from any responsibility. When he (Mr. Baring) heard the words "shrinking from responsibility" used in that House, he could not help asking what was the responsibility from which the Government was accused of shrinking. The responsibility of a Minister was responsibility to the House of Commons, and no one could say, after the speeches which had just been delivered, that that responsibility had been evaded. It would, he thought, be seen that very great responsibilities had been accepted in several points, and that experience had shown that the policy pursued was the right one. The noble lord (Lord Robert Montagu), had gone back to the year 1857, and asked why the particular course taken in that year with respect to the importation of foreign cattle had not again been adopted. Now, it was perfectly true that in 1857 the importation of cattle from the Baltic was forbidden by an Order in Council made under the Cattle Importation Act of 1848. The reason why the course referred to could not have been taken on the present occasion was, that it was exceedingly doubtful from what part the cattle plague, if imported into this country at all, was brought. The noble Lord assumed, as a matter of fact, that the disease was introduced by a particular cargo from Revel. The Report of the Royal Commission, to which every possible publicity had been given, did not warrant this conclusion; the Commissioners said that they were unable to express any opinion with regard to the introduction of the disease; and any one who had taken the trouble to go through the evidence could not but indorse what the Commissioners said. Since the publication of the Report, he understood that one of the principal witnesses who supported the theory that the disease had been imported from Revel had contradicted the evidence that he had given. There was no evidence which could be deemed conclusive that the disease was imported from abroad at all, and certainly none that it was imported from Revel. Moreover, before it broke out here there was no evidence whatever that it was raging in the neighbourhood of the Baltic or in any adjacent countries. In order to support the Revel theory it was necessary to suppose that the animals were brought from the south of Russia through St. Petersburgh to Revel, for there was no disease in Esthonia or any of the surrounding countries. No step, therefore, could have been taken by the Executive to prohibit the importation of infected cattle from any part of Europe by which this unfortunate outbreak of the cattle plague could have been prevented. Neither the attention of Parliament nor that of Government was called to any impending danger attending the importation of cattle from those countries from which our foreign supplies were drawn. The evidence given to the Commission went to show that foreign cattle had been remarkably healthy, only five animals in a state of disease having been detected in the Metropolitan Cattle Market, which animals came from Holland, a country into which it had been clearly established that the disease had been introduced from this country, so that the only foreign beasts which we knew to have come to England affected by the disease were imported from a country to which we ourselves had communicated it. With reference to other observations of the noble Lord with respect to the action taken by the Government, it might be well to remind the House that in 1864, owing to the danger that had been incurred in 1857 of the introduction of cattle plague into England, his right hon. Friend the Vice President of the Council on Education (Mr. Bruce) brought forward two Bills—one to amend the law with respect to the importation of diseased beasts, and the other to prevent the spreading of rinderpest and other infectious and contagious diseases. He had the honour to take charge of the two Bills, and to act as Chairman of the Select Committee to which they were referred. That Committee came unanimously to the conclusion that it was not necessary to alter the laws relating to the importation of foreign cattle, but that it was advisable in some degree to relax the precautions which were then taken by the Customs authorities. That Committee consisted almost entirely of Gentlemen representing the agricultural interest, including Sir William Miles, whose absence from the House he regretted, the hon. Member for North Northamptonshire (Mr. Hunt), the noble Lord opposite the Member for Cockermouth (Lord Naas), and Mr. Caird, than whom there could not be greater authorities. The recommendation of the Committee was that when a cargo of animals arrived of which one or two were affected with certain diseases, only those animals which were affected should be slaughtered, and the rest should be allowed to go into the market, and be there killed for consumption. In consequence of that recommendation, instructions were issued to the Customs to relax their practice accordingly. Immediately on the breaking out of the cattle plague in this country orders were issued to the Customs at once to revert to the original Order of great stringency, under which they had previously acted, and, in every case in which there was but one diseased animal, or disease of any kind in the cargo imported from abroad, orders were given that the whole was to be detained, the diseased animals killed, and the remainder disposed of in such manner as the Commissioners of Customs might direct. This was the course that was taken with regard to the importation of foreign animals; and he believed that the inspection had been made with the greatest possible vigilance, and that the spread of the disease in this country could in no way be proved to have arisen from the importation of animals from abroad, if, indeed, it was originally imported from abroad, which was by no means proved at the present time. The other Bill introduced in 1864 contained provisions which placed very considerable liability upon the owners of diseased cattle; the owner was not to do certain things which would be likely to carry the disease among the cattle of his neighbours. That Bill was opposed with very considerable vigour by Gentlemen who represented the agricultural interest, and more especially by Gentlemen from the sister island; it was, indeed, mainly owing to the vigorous opposition of the noble Lord the Member for Cockermouth (Lord Naas) that the Bill was not passed. The Bill went through a Select Committee, and very considerable alterations were made in it. He (Mr. Baring) brought it down from the Committee as amended, but the general feeling in the House was so decidedly against it, and it was so evidently impossible to pass it, that he was obliged to withdraw it. When he said that the Bill received the opposition of the agricultural interest, he should add that some hon. Members supported the main provisions of the Bill, but the opinion of the witnesses who represented the agricultural interest was decidedly adverse. The Committee examined a gentleman deputed by the Farmers' Club, who happened to be their chairman for the year, and who said the farmers had their own remedy, and did not want the Bill at all. He therefore recommended his right hon. Friend not to re-introduce the Bill in the next Session of Parliament, and the subject was left, as it had been before, under a single clause of an Act, which was really an Act to prevent the spread of small-pox among sheep, under which Government had no power to deal with an exceptional state of circumstances. Putting the most liberal construction upon the powers given them by that clause, the Government made some most important general regulations, as to the liability of persons dealing with diseased animals; and he could not but think that in the discussion of that night, as well as in much that had been written on the subject, these general regulations had been lost sight of. They were that a person who had a diseased animal should give notice of it; that he must keep it apart from others; that he must not remove it; that when dead it must be buried in its skin and the place disinfected; and that animals likely to convey infection must not be removed without the licence of a competent authority. Power was also given to slaughter infected animals. To the extent to which these regulations were obeyed, the spread of the disorder was prevented. So far as these regulations went the action had been central, and had not been left to the local authorities; and all these liabilities which did not exist under any law were brought into force by the action of the Government through these general regulations. Other powers had been from time to time intrusted to local authorities by Orders in Council; and, speaking generally, the powers so conferred were the power of stopping public sales of animals in certain districts and the power to prevent the removal of animals from place to place. No doubt there was a very general opinion in certain parts of the country that it would have been better that the Government should have made general regulations on these two points, rather than have left the action to the local authorities; but he could not acquiesce in the statement that the feeling had arisen from the disinclination of local authorities to incur obloquy by exercising their powers. They had not shrunk from the responsibility of exercising those powers. He believed that it would have been extremely difficult, if not impossible, to have stopped markets in a general order, for there was the greatest difference of opinion as to what the order should have been. In some counties it had been considered advisable to stop markets for all animals; in others to stop markets for all cattle, allowing sheep to be sold freely; in other counties the course adopted, and that advocated by many of those who had paid most attention to the subject, was not to stop markets for all cattle, but only for lean and store cattle, so that fat cattle might be driven to market to be sold. The House had been forcibly reminded of this view by an hon. Gentleman who had pointed out that it was more likely the disease could be propagated by butchers going about the country to the beasts than by allowing fat beasts to go to them to be slaughtered. Another alternative suggested was that cattle having been brought to the market should not be allowed to leave its locality alive. Even if the most generally approved of all the alternatives put before the House had been adopted, and all markets excepting markets for fat cattle had been prohibited, and the fat beasts had not been allowed to leave the jurisdiction of the market alive, great inconvenience must have occurred. This could be proved by a single remarkable circumstance:—Liverpool was a great port of importation from Ireland, and if a general order had been given prohibiting any market except a market for fat cattle, and their slaughter within the jurisdiction of the place in which the market was situated, the effect would have been that not a beast which was sold in the Liverpool market could have been brought into that town, for the great market for Liverpool was outside the town, and in the county jurisdiction. Therefore, an order of the description referred to would have prevented any animal being brought from the Liverpool market into the town. An instance of such magnitude must satisfy the House that the Government were right not to have made a general order of this kind, the operation of which would have been so unequal. In regard to this question, it was impossible to consider Great Britain as one place. In every particular district there were different circumstances which must be considered; and if such an order as he had hinted at had been passed, the representatives of the county of Chester, in which the disease had been very virulent, might have come down to the House, and might have said, with a great deal more justice than it had been said in that debate, that the Government had shirked their responsibility, and that they had not dared to carry out the proper measures for preventing the spread of disease in the county of Chester, where no market whatever ought to be permitted. He asked any Member of the House who could do so to recommend to the Government any course which could be adopted with respect to the stoppage of markets, such as could be adopted with respect to the whole country. With respect to the removal of animals, the order which gave power to local authorities to make regulations had doubtless met with much disapproval, in consequence of the different regulations made by different local authorities, which must, in some cases, have caused considerable public inconvenience. He was not surprised, therefore, at hearing all this general outcry about conflicting orders; for people would naturally say, "Let us have a general order, and then we shall know what to do." He would, however, seriously ask the House, or some hon. Member of it, what this general order was to be with respect to the removal of cattle? A great part of Scotland and many parts of England were but slightly affected by the disorder. In Hampshire, Wiltshire, Dorsetshire, and Devonshire, there had been but few and isolated cases, and there were only two counties in Wales in which there had been any case at all; and he would ask any hon. Gentleman on the opposite side of the House to say what kind of general order the Government could have made. Could they have adopted the recommendation of the majority of the Royal Commission, and prohibited absolutely all movement of cattle? He wished to express the obligations they were all under for the great amount of attention the Royal Commissioners had given to this subject, and for the valuable Report they had presented. But he must say that that proposal would not have stopped the cattle plague and was quite impracticable; for no practical man would assert that the change from a trade in live cattle to one in dead meat could have been made all at once. But, besides, it would have broken down altogether with regard to foreign cattle. Every beast that came from abroad would have to be slaughtered at the place where it landed. ["Hear, hear!"] He quite understood that cheer. It meant that was a provision which it would be quite proper to make. He would not dispute that proposition; there was a great deal to be said in its favour, and it was one of those things which the House would have to consider when they came to the question what legislation should take place with regard to the importation of foreign stock. But he would venture to affirm that such a change as that could not take place at a moment's notice. To have passed an edict of such a kind would have forced foreign cattle to be brought to a place where they could not be slaughtered except under the greatest disadvantages and with the greatest loss. The importers suffering loss, importation would have diminished or ceased for the time. While half the supply of meat for the London market was furnished by beasts from abroad, no Government would have dared to take a step which would have thus annihilated the foreign cattle trade. He quite agreed, therefore, with the remarks made by the minority of the Commissioners, who, it might be said, without offence to the others, were the most practically acquainted with the matter, that the absolute prohibition of all movement of cattle was impracticable. He could conceive no general order with respect to removals which would receive the approbation of the House, and he should like that any hon. Gentleman should propose such an order. There was hardly a county, or extensive district in the country, which was not placed in different circumstances from others. Take Cheshire, for example, where the outbreak had been as fatal as it had been 150 years ago, and compare it with the counties which are but slightly affected. In Hampshire, the prohibition of the removal of sheep would be attended with serious difficulty, while in other counties it would be a matter of small moment. There would then be the greatest possible difference of opinion with respect to the animals to which a general order should apply. Where any outbreak of the disease had occurred it would, perhaps, be right to prohibit altogether the removal of cattle in places adjacent; but differences of opinion would prevail in proportion to the nearness or distance of the different parts of the county from the source of contagion. All the arguments which he had used with respect to markets applied with double force to removals. But it might be said, "So far we agree with you, and see that no uniform order could be issued, but that is not what we ask. We ask that the Government should do something, that they should issue an order which would do more than the present orders, and then let them allow the local authorities to enforce or relax such order, according to the different circumstances of the district." But he would say, in reply, that that was nothing more than local action under another form. ["No, no!"] In what respect did it differ? If they gave local authorities power to alter an order, it was the same as if they had local authority pure and simple. Suppose there was a general order that no animal should be removed from one place to another, and the local authorities could relax it, and allow animals to be removed, why that was nothing but local action. If a mild general order were issued, and local authorities were allowed to make it more stringent, then the whole obloquy of the transaction would be thrown on those authorities, and people would be able to say that the precautions which the Government considered to be sufficient for the whole country were, in the arbitrary opinion of certain gentlemen, representing certain interests, not deemed sufficient for the district over which they had control. For these reasons, he affirmed that it was impossible to imagine or devise any general regulations with respect, first, to the prohibition of markets, and, secondly, to the removal of cattle, which would be applicable to the whole country. He would not refer to many smaller points raised in the debate, but would notice two attacks made by the noble Lord the Member for Huntingdonshire (Lord Robert Montagu), upon the propriety of the Government's ordering the slaughter of infected animals, and of their forbidding the importation of cattle into Ireland. The best proof of the advisability of the first step was that since the power had been withdrawn the number of cases of disease had greatly increased, and it had been shown in Aberdeen and elsewhere that the power of slaughter vigorously exercised had been the only means in which, in the present state of knowledge, the spread of this grievous calamity could be checked. The principle of slaughter is now generally aproved. As to the precautionary measures taken to prevent the spread of the disease into Ireland, he believed that in taking the steps they did the Government had the full approval of the Members from that country. Hon. Gentlemen talked of Irish Members waiting on the Home Secretary with reference to this subject. He denied that statement on the authority of the right hon. Gentleman himself—no Irish Member had waited on him. [Viscount CRANBOURNE: Was there any such with the Lord President?] He would pass that by; he had no knowledge upon the subject. The hon. Member for North Lincolnshire (Mr. Banks Stanhope) had made two distinct propositions: that all railway traffic should be suspended, and that every beast imported into the country should be slaughtered where it lands. He would now draw the attention of the House to the effects which would follow the carrying out of those propositions. The cattle trade between England and Ireland was principally carried on through Liverpool. Dealers from Liverpool purchased the cattle in Ireland, brought them to Liverpool, and they were then distributed among the great markets of the north of England. If the proposals of the hon. Member were carried into effect, it would entirely destroy the great cattle trade of Liverpool. Such regulations would result in seriously diminishing the supply of food for the people. Among other evil effects it would convert the London cattle trade, which was at present a trade in live cattle, into a trade in dead cattle; a change which might have the most serious results. At present, the dead-meat markets were very deficient in accommodation. But supposing that by some enchanter's wand suitable dead-meat markets for the metropolis were to arise, what would be the effect upon the public? According to the present system, beasts, though they might be brought to market, need not be slaughtered, unless there was a sufficient demand for meat. But in the case of dead meat consigned from the country to a London salesman, there would be no similar opportunity of holding over the article. It would be perishable, and must be disposed of whatever the sacrifice. All that persons in the country would know on the subject would be the quotations from the last market prices, and if these were high, a glut of dead meat would be thrown on the market, only to be got rid of at very low prices. This would be followed by a deficient supply, and a rise in price most serious to the consumer. The fluctuation of prices entailed by these transactions would be an injury quite as serious in its way as many of the evils which were now complained of. He contended that neither the absolute prohibition of cattle traffic on railways, nor yet the slaughter of cattle at the place where they land, could be carried into effect at the present moment. Well, if they could not be carried into effect now, they clearly could not have been carried into effect at any earlier period. What, therefore, became of all the blame which had been thrown on the Government by the hon. Member for North Lincolnshire and others? The hon. Member for Scarborough (Mr. Dent) recommended the adoption of the system of slaughter as the only remedy within his experience likely to be efficacious, and held that the Government ought to give effect to the recommendations of the minority of the Royal Commissioners. But although among the Commissioners there were many and great differences of opinion, upon one point they were all agreed, and that was in condemning the system of slaughter. One of the recommendations of the minority of the Commission was to the effect that a greater distinction should be drawn between infected and uninfected districts. The spirit of that recommendation had been carried out by giving to the local authorities power to apply the next effectual remedy to slaughter—that of isolation. Was not the power better placed in their hands than in the hands of a central authority? How was it possible for a central authority to act with the same knowledge and effect as persons upon the spot and well acquainted with the locality? No doubt, in the present state of the law, there was great difficulty in assembling a quarter sessions for such purposes as were here contemplated; and in any legislation upon the subject it deserved consideration whether power might not be given to summon a special sessions, and also to delegate the authority of the quarter sessions to committees able to exercise this in their own particular districts, thereby combining the beneficial influences of one jurisdiction with the personal supervision of the other. In a matter of so great difficulty as this question of the cattle plague no one could be foolish enough to assert that every step taken at every moment by the Government was right, and, with the information which we now possessed, that no change could with advantage be made. But, looking broadly at the question, and taking the general attack made against the Government to be that they shrank from responsibility, and that they ought to have issued general regulations applicable to the whole country, he entirely denied the justice of it. So far from being open to that charge they had acted upon the clauses of a Bill conferring on them little real power and affording but very slight foundation for the powers which they assumed to place grave liabilities upon individuals, and heavy penalties attached to their non-observance. They took what, with our present knowledge, must be regarded as the proper step of enjoining the immediate slaughter of infected animals. In doing this they assumed grave responsibility, and took a step so much in advance of public opinion at the time that it was actually disapproved by the public, and by the Royal Commissioners. After such a step, could the House any longer allege that the Government shrank from responsibility? The Government did not feel themselves at liberty to make a General Order applicable to the whole country, because they were bound to consult the general advantage of all classes; to remember, moreover, that this question touched the supply of food; and they were even bound, among other considerations, to look to the interests of the owners of cattle themselves. By affecting to give stringent general orders, but allowing local authorities to modify them, or by affecting to pursue a very mild course themselves, leaving it to the local authorities to give to the rules a more stringent application, the Government might, indeed, have shielded themselves from responsibility. But they shrank from no responsibility, being satisfied that the course which they took was the right course, and that such orders ought to be left to local bodies aquainted with all the varying circumstances of the different parts of Great Britain. In certain portions of the country—in Ireland and parts of Scotland especially—the action of the Government had been successful. If it were contended that they had not been successful with regard to England, he replied that there were circumstances under which no

Government action could be successful. Even with such centralized action as one hon. Member seemed to desire, it was difficult to discover what more could have been accomplished by the Government. If we were to act upon the principles which other countries had adopted, we must be prepared to carry out more stringent measures than anyone had yet suggested. We must be prepared to adopt an honest "stamping out" process like that resorted to in particular districts of Prussia. A cordon must be drawn round the infected district, kept by troops, and not a man, not a dog, not even a bird must be allowed to leave the district alive for a certain time. That would be the only effective mode of stamping it out. If any Government could do that it might possibly be stamped out, except, indeed, it could be carried with the air, as the Royal Commissioners say it could be, in which case even that system would not do. But he believed that, if anything short of such a measure could have any success, it was the power to slaughter combined with isolation. He hoped when the Bill of the Government was brought in — to which he refrained from alluding now, because his right hon. Friend the Home Secretary would have to do so when introducing it on another day—hon. Members would see that the Government had every determination to adopt the most effective measures in their power for the future. The Government had failed from no want of assiduity—no want of sympathy with the sufferers—no indifference to the agricultural interest now so much afflicted. No class in the country could be indifferent on a question which had so close a relation to the roast beef of old England. They would do their best, and trust to the decrees of Providence and the mutual action of all classes in the country for success.

MR. LOWE: I wish, Sir, that my hon. Friend the Under Secretary for the Home Department had confined himself to a defence of the Government, and had not thought it necessary, in support of his case, to treat in the manner he has done the Report of the Cattle Plague Commission, because he has obliged me to make statements, and go into matters, which certainly I never would have dreamt of entering upon in this debate. The cattle plague made its appearance in the London market on the 19th of June. I do not know how it got there, and I do not think we have any evidence on the point; but there it was. The Government heard of it in the beginning of July, and made some Orders in Council. The first Order they made was a matter which occupied so much attention that Lord Palmerston and Lord Cranworth came up for the occasion, no other Member of the Government being here to look after it. In the beginning of October they appointed a Royal Commission, on which I had the honour to serve. But I do not think they possessed any knowledge of the real nature of the disease, at least any knowledge that could be relied on. Now, it is not difficult to show that they ought to have possessed that knowledge, and that the appointment of the Commission was therefore wholly unnecessary. The question, when we came to examine it, was found exceedingly simple. It was this—Was the disease then raging in England identical with the Steppe murrain or not? If it were once shown that they were identical, no further inquiry was needed, as no disease had been more thoroughly studied and was better known than the Steppe murrain. A Commission of Inquiry into the Steppe murrain would have been like a Commission of Inquiry into the small-pox or measles. The whole question, then, was whether the disease was identical with the Steppe murrain. Now, was it creditable to the Government that they did not take steps to ascertain whether the two diseases were identical before the disease had been for three months raging in this country? The Government had at their command all the medical ability which they might choose to employ, and they were particularly fortunate because they had in Mr. Simon, the Medical Officer of the Privy Council, a gentleman of the highest attainments, and who was the greatest authority with regard to the cattle plague, which he had made the subject of his particular study. The Cattle Plague Commissioners called him before them, by his evidence they were mainly guided, and that evidence has turned out to be an almost exact prognostication of everything that has happened since it was given in October last. The Government, then, were peculiarly well furnished with advice. Well, what did they do? Why, they did not summon that gentleman at all. He has never had any voice in their dealing with this matter, which they have withdrawn wholly from his cognizance, and placed in the hands of a veterinary surgeon, Mr. Simonds, an able man no doubt, but a gentleman who would not think for a moment of comparing himself with Mr. Simon. If they had consulted Mr. Simon as we did they would have got his evidence as we did, and that evidence would have left no doubt that the two diseases were identical. We thought, at first, that there was a great deal of evidence on each side, and that it was our business to hear evidence on both sides. But we could only get one witness, and he was a butcher, to say that the disease was not highly contagious. The absolute identity of the two diseases was established, and also the applicability to England of those precautions which a long and melancholy experience has demonstrated to be necessary in countries to the East of Europe. We set to work on the 10th of October, and our Report is dated the 31st. It must be admitted that we lost no time, especially if it be considered that we started in a state of total ignorance, and heard the jobbers and persons who dealt in cattle, and whose evidence, as we were going to interrupt their trade, we were bound to hear, though we might not attach great weight to what was said by them under such circumstances. In the first few days we got a pretty clear view of the real nature of the disease and the only remedy to be applied. Now if we could do that, why could not the Government do it; or, if they did not choose to do it, might they not have refrained from making reflections on us who did their work? My hon. Friend (Mr. Baring) states that the Report shows that there was a difference of opinion among the Commissioners, and, after exaggerating it, tries to shelter the Government behind it. That, however, will be of little avail. The state of opinion in the Commission was this:—The majority and the minority both agreed that the real remedy for preventing the progress of the disease was the stoppage altogether of the removal of cattle from one locality to another. There was no difference of opinion on that point, and I am speaking in the presence of a noble Lord (Viscount Cranbourne) who was a distinguished member of the minority. The second point in which we were all entirely agreed was, that whatever was to be done—whether the larger measure, of which the majority approved, or the less stringent one, advocated by the minority, should be adopted—the action of the central Government was necessary, and nothing ought to be left to the local authorities. What we really differed about appears at this distance of time to be a very small matter. It could perhaps best be described as a matter of temporary expediency. The majority thought it expedient to recommend what we all agreed was the real remedy, though some of us may have felt not much confidence in its being carried out. The minority thought that it was better to modify the proposition so as to make it more acceptable to the public, not because they liked the modified proposition better than the other, but because they deemed it more calculated to meet the public mind. The House, therefore, will now be able to judge how far my hon. Friend is justified in sheltering himself behind the minority. The course adopted by the Government is entirely condemned both by the majority and by the minority of the Commission, and there was no one on the Commission who supported it except Mr. Maclean, the engineer, who thought it unnecessary to do anything at all. Well, what did the Government do? We reported on the 31st of October, and after a waste of three weeks of infinitely precious time they give jurisdiction to petty sessions, and shortly afterwards they extend that jurisdiction to quarter sessions, and so in substance the matter rests now. I did not come here to-night to criticize or to condemn the conduct of the Government, but I have been urged to say what I think on the subject. I am not going to re-open the controversy before the Commission. It would be most indecorous for me, and for the noble Lord (Viscount Cranbourne), to take advantage of the position we occupy here to fight those battles over again. I say, then, that the Commission was right in their recommendation that a central authority ought to act in the matter, not because I have fallen in love with despotism, but because there is nothing despotic in delegating power to the only persons competent to act. The rule is simple. Matters of public interest, in which the whole community is directly interested, ought to be left to the central authority, whereas matters in which the general public is not directly concerned ought to be left to the local authorities. Now, what was this cattle plague? Had it been epizootic merely, spreading in certain districts, and influenced by climate and local circumstances not likely to go beyond those districts, I can quite understand that it would be perfectly right to leave it to be dealt with by the local authorities. But is this disease of such a nature? It is exactly the contrary. Every part of England is interested in the suppression of the disease in every other part of England. One day it is at the Land's End, and the next at John o'Groat's. I believe I may say that the London market is one day infected, Edinburgh and Plymouth the next. Had Edinburgh and Plymouth, then, no interest in the conduct of the local authorities in London at that time? And, if so, how can we reconcile it to ourselves that these things should be left to the discretion of local authorities? My hon. Friend (Mr. Baring) spoke of the trade of Liverpool; has he read what *The Times* said this morning about the cattle at Kirkdale market, where hundreds of cattle had been refused admission because though branded, they had no pass? Did my hon. Friend read about the state of the neighbourhood of Bristol, where there was one set of rules for the county of Somerset, another set for Bristol, and a third for Gloucester? Does my hon. Friend think that is the way to check a calamity which has, at any rate, this recommendation—that its action is uniform? Could my hon. Friend expect that a great and general calamity like this would be cured by piecemeal and parti-coloured legislation? If the rule was to be loose here and tight there, such contrariety and uncertainty must necessarily lead to discontent. It is clear to me that you have no right to impose those restrictions on one part of the country unless you can make up your minds to impose them upon all. Each man will cheerfully submit to great inconvenience for the sake of others only when he finds persons submitting to great inconvenience for his sake. I therefore think there never was a case more clearly made out than that if Government interference was required there should be a central authority. My hon. Friend says he does not approve of our preventing traffic, as the disease might be carried by birds. Well, perhaps even a fly might carry it; but we must deal with this question as practical men, and not as mere theorists. *De minimis non curat lex.* Practically it is conveyed by the cattle, and if the principal cause be suppressed, there is no reason to doubt that the spread of the disease would be checked and prevented. My hon. Friend has talked much about responsibility, but he has not considered that on the Government devolved the responsibility of dealing with this calamity in the first instance, a responsibility which it cannot shake off. But how do the Government meet it? By avoiding it. When the calamity becomes worse they seek out persons to deal with the subject, and when those persons make up their minds for them they, by partially adopting the plan those persons suggest for themselves with responsibility for the inadequate local means they choose to employ, I misunderstand the functions of Government if it is to stand by quietly amid such a calamity, and, when the calamity increases, to delegate its functions to others. Look at the case of Berkshire. Two lines of railway traverse it from north to south and from east to west. The calamity showed itself in the eastern part of the county. By timely measures the disease has been kept away, there are no deaths among the cattle, and I am informed that the county, except in Windsor where a different local authority rules, is free from cattle disease at this moment. The whole stress of my hon. Friend's argument was that what was recommended by the Commission was full of mischief to trade and a hardship to everybody. No one can doubt that such a thing is difficult to arrange; but what I complain of my hon. Friend is that I could not gather from what he said that he ever pictured to himself what the real state of the calamity was. I appeal to the House with the utmost confidence whether if our recommendations had been adopted, even after four precious months had been lost, it might not probably have stopped this disorder. But I must say that we have by no means the same confidence now. It is one thing to stop a disease in its nascent state; it is another thing to stop it when it has acquired 14,000 centres of infection, when it has spread to every county in England, and when the air has become loaded with volumes of polluted matter. It is quite right we should struggle against it now with our whole force, and try every measure we can think of, but the prospect is now dark and unpromising. I hope the House will do the Commission the justice to believe that what they recommended might at first have been effectual. We cannot say that it will avail now. Our advice was difficult to carry out, and the Government would not take the responsibility. That, Sir, I will say was a responsibility indeed.

MR. HENLEY: Sir, after the admirable speech of the right hon. Gentleman it will be only necessary for me to say a few words. There is no doubt the difficulties of the subject are very great. I am not going to conceal that for one moment. Neither am I going to be led away into the discussion as to whether this disease came from Revel, or whether it was generated in Hampstead in the cow-sheds of the President of the Council. No doubt in the month of July, if not in June, the fact was reported to the Government that the disease was in London. That, I believe, cannot be controverted. The only question is, whether it was certainly known to be the true rinderpest. I agree that the Government might have known this if they did not. Well, what was the course they took? Of all the statements I ever heard to show the utter weakness and shrinking from responsibility of Government, that made by the hon. Gentleman the Under Secretary (Mr. Baring) is the most extraordinary. For what did he say? He stated that there were innumerable difficulties in dealing with the question of stopping the importation of foreign cattle, and innumerable difficulties in following the recommendation of the Commission. What was his difficulty in following the recommendation of the Commission? Why, that it was not a perfect remedy; and as this disease might be carried by the air, therefore they would not be justified in adopting it. Now that reasoning, if it comes to anything, comes to this—that it is idle to take any remedy at all if it be not entirely perfect. The hon. Gentleman said, "What! will you have a perfect cordon of soldiers as in Prussia, for if you don't do that you do nothing." Still, he talks of the responsibility of the Government. He further said, "The best thing we could do was to order the cattle to be killed." But how long did the Government maintain that order? What sort of resolution must they have on the subject. Why did they not stand to their guns? If they were right in their opinion, why did they not stick to it like men, and see whether it did any good or no? I am quite prepared to admit that all these things were tentative. There is one other point I wish to state, and it is this:—A great deal has been said by the Under Secretary about the impossibility of making general orders; but he did not touch upon the subject at all whether the Government had power under the Acts of Parliament to delegate to other persons the authority which Parliament had given to them. I am not learned in the law, but I very much doubt if those orders had gone to the Queen's Bench whether that point would not have been raised. If their construction of the law be the true one the Poor Law or any other Board might authorize the thousand and one authorities in the country to act in their place. But what was the argument of the Under Secretary? That they could not make general orders. But why not make particular orders. Surely if they could give power to a thousand local authorities to make these orders, inconvenient as they were, and to a very great degree without benefit, they might have applied themselves to make them, as they had a knowledge of the whole subject to which the local authorities could not pretend. Surely they might have made those particular orders which, with their knowledge of the subject, might have been so framed as to avoid the inconveniences and confer greater benefits than could possibly arise from such orders as a thousand different authorities were at liberty to frame. As to the difficulty of making those orders in that part of the country where I live, I believe in every case where power was given by the Government, the local authorities did everything they could under the circumstances. But what benefit was it to us when here, from Copenhagen Fields, a well known centre of infection, every week was vomited forth cattle to every county. It was through that means, and no other, that Oxfordshire and Buckinghamshire were infected. Not that diseased cattle were sent down because butchers would not buy them, if they knew it, but they bought cattle in Copenhagen Fields, and brought them down to kill them, and thus spread the infection like a stone dropped into a pond. If the Government had taken a waterpot with a large rose in their hands and watered the country for the purpose of spreading the infection they could not have done it more effectually. What was the power they gave to the local authorities? First and foremost, we had inspectors who did not know much about the disease, never having seen it. They did neither harm nor good. Next came stopping fairs; but what was the use? The only effect was this:—Butchers went up to London, and the danger was incurred of bringing the infection from

Copenhagen Fields. The next measure was to give us authority to stop beasts coming into our districts. Such a measure was something the same as if the Government had taken a bottle of quicksilver and thrown it down, and said, "Stop it from going into your district." While Copenhagen Fields were sending hundreds of thousands of cattle over the country there was no chance but that the disease would spread as it had spread. Were it not that the Under Secretary had put the thing in such an extraordinary manner, I should not have said a single word; but he challenged opinion in such a way that I could not help making these observations. I think the Government, if they had not sufficient nerve to enable them to do what was necessary in these matters, should have called Parliament together. There never was a time in which everybody through the length and breadth of the land was more disposed to give their support to the Government without question. But really the Government did nothing. I do not hesitate to say that virtually they did nothing. They had the means of getting general information, and in giving their particular orders they could ascertain how they should act, and yet all that they did was to hand over to local authorities that power which Parliament had intrusted to them. What was the necessary course for the Government? They were obliged to publish in the *Gazette* their Orders in Council. There was some time lost in that way, and the local authorities had to meet and to publish their regulations in the local papers before they had the force of law, and so more time was lost. I believe that down to the present time property amounting to £1,500,000 or nearer £2,000,000 has gone, absolutely gone, without any benefit to anybody. On the former occasion the disease lasted twelve years; and if it is to go on so long now, it is very difficult for me, not having passed an examination before the Civil Service Commissioners, to count up what will be the cost to the whole country. I have heard the Under Secretary stating that possible annoyances and possible stoppages to trade might take place if such and such a thing had been done; but he said not one single word of the unfortunate people who had been put to so much trouble all over the country by the local justices making orders, sometimes contradictory and sometimes against persons not connected with their neighbourhood. The Government seem to feel very much with respect to inconveniences to trade, but they do not seem to care one farthing about inconvenience to the general trade of the country. I cannot understand why the Government could not stop all cattle from going out of London which has a large market and excellent means of slaughtering beasts. I believe if Copenhagen Fields and one or two such places had been isolated in such a way for the first two months the disease would have been stopped. The fact is, if we had had no Government at all we should have been as well off. The hon. Secretary of State has pointed out the difficulties which would attend the course proposed to be pursued; but I would ask the Government, this House, and the country, what is the use of a Government if they do not meet these difficulties—if they are not prepared to take the lead instead of leaving to the local authorities the task of grappling with so fearful a malady? The real use of a Government is, that the greater the difficulty is the greater is the power shown by the Government in dealing with it. That cannot be said in the present instance. There may be more reasons why it is so than meet the eye. The death of the noble Lord (Viscount Palmerston), whom we all deplore, no doubt paralyzed the Government to a certain extent; but, whenever the history of this time comes to be written, it must be stated that what the Government did in this crisis was nothing, and that they handed over to a thousand authorities in the country the work and the business which they ought to have carried out themselves.

Viscount CRANBOURNE: I would not have risen if I had seen any indication of an intention on the part of any occupant of the Treasury Bench to rise and address the House. It appears to me that not only was the Government prepared to inflict the greatest injury to the agricultural interest that they have suffered for the last century, but to treat with something like contempt their complaints. I do not intend to trouble the House at any length, for I feel that these matters as to the cattle disease, which are of so much importance to the occupiers of land, had better be dealt with by those who represent counties in this House. I wish to advert, however, to the conduct of the Government during this disease. If I understand the Under Secretary, there is still lurking in the mind of the Government an idea that this rinderpest is not strictly a contagious disease, but that it originated in England. It is the unanimous opinion of all the scientific men who have examined the question in England, and of those who have had the opportunity of accumulating evidence upon the Continent, that the rinderpest is indigenous to the Steppes of Russia; that when it wanders beyond those limits it is carried by contagion, and that the contagion is more rapid and sudden than in any other case with which the science of medicine is acquainted. It was reported to the Government on the 10th of July, by their own veterinary officer, that this terrible scourge was in the country, and they were not in a state of profound ignorance as to the nature of the plague. The thing had been well studied by persons whose information was transferred to Government. Professor Simonds had made a prolonged journey, had collected evidence on the subject, and made every inquiry in the county where this disease originated. He laid his information before the Government, and so much was the attention of the Government drawn to the disease that when the report was spread in 1864 that the Austrian army had brought it into Schleswig-Holstein, and that there was danger of its coming by importation from that country, they caused a special inquiry into the truth of that report. It is perfectly clear, then, that when the attention of the Government was called to this disease they possessed the best information on the subject. It was not an unknown disease. The period of its existence on the Continent it is impossible to say; but it had been studied and had been the subject of most careful and scientific research, and Her Majesty's Government had all the accumulated experience of some of the best men of science England could furnish, to instruct them as to the symptoms, the rapid spread, and the certain results of the disease. It is impossible, then, to accord to Her Majesty's Government the plea of ignorance to excuse their conduct with regard to this disease. On the 10th of July they were informed of its existence; but, as the House has been informed, they took no action until the 24th, and then it was only to give orders that every person having cattle afflicted with the disease should give notice to the inspector. It was not until the 11th of August that they gave any powers to the local authorities. On the 23rd of November they gave full powers to the petty sessions; but it was not until January that they gave full powers to the quarter sessions, and up to the present time no sufficient action has been taken by the central authorities. One thing stands out very prominently with regard to this subject—namely, that Her Majesty's Government have not been able to exercise the slightest influence in checking or controlling this disease. It has increased in something like a geometrical ratio, and according to the last Returns 100,000 heads of cattle have fallen victims to the ravages of the disease. Now, the question we have to ask ourselves is, whether any measures the Government could have taken would have had the effect of stopping this fearful calamity under which the country labours; and it seems to me that the only mode of solving that question to our satisfaction is to ask ourselves whether, in any other country simultaneously with our own, any measures have been taken which have had the effect of checking the disease. Now, I have to bring before the House a different picture with respect to results in the case of Belgium from our own. And I select Belgium for a particular reason. We have heard a great deal from Her Majesty's Government about the free institutions of this great country, and I think they have had to bear a great deal more than they need. When Members of the Government do not do what is expected of them we are told that it is one of the drawbacks of the Constitution, and that we in London can supply illustrations in reference to it. Whenever it is urged that the Government ought to have been more rapid and prompt in action we are told that it is only the quality of despotism to be prompt in action, and that if we wish to escape from despotism we must submit to such little inconveniences as having our cattle by the 100,000 die of the disease. That may not be the case in Prussia, Austria, or France, where the action of the Government is quite prompt, and where they have no notion of dallying with a public grievance. But setting aside the despotism of Austria, Prussia, and France, I ask the attention of Parliament to the conduct of a Government as free as our own — where the Parliamentary system exists in its full vigour, and where, to use an expression familiar and agreeable to hon. Gentlemen opposite, a strong Liberal Government is in office. Now, this strong Liberal Government does not sit still in the face of so great a calamity. I have in my hand a report presented in November last by the Minister of the Interior of Belgium to the House of Representatives. In it he states that the disease was introduced in Belgium from Holland, and since it has been discovered that it was introduced on the 16th August. It does not, however, appear to have come officially to the knowledge of the Government until the 28th August. Before that they had heard rumours of its existence, and they had issued orders to prevent the importation of cattle from England. On the 29th August, as soon as they heard of the existence of the disease, without losing a day they stopped the importations, and on the 3rd September all importations from any country. On the 22nd September they stopped all fairs and markets throughout the country, so far as they were connected with the sale of store stock. Fat cattle were still allowed to be sold, on condition that they carried a certificate that they came from a district not infected by disease. At the same time, which was most important, they offered ample compensation to all who declared the existence of the disease (under severe restrictions certainly, to prevent abuse), and ordered the slaughter of the cattle. They gave more than the absolute value of the cattle, an idea almost enough to terrify the right hon. Gentleman (the Chancellor of the Exchequer) into a fit. Now, what was the result of these prompt proceedings? Between 600 and 700 heads of cattle were the whole of their losses, and the expense incurred somewhere between £4,000 and £5,000. And with the exception of one or two cases in the neighbourhood of Antwerp on the Dutch frontier, where they were exposed to the contagion, the disease was swept out of the country, although it had appeared in all parts of it. Belgium is at present entirely free from the cattle plague. The plague has, in fact, been completely stamped out in a very short space of time, and at a very trifling expense. Such was the result of the prompt and decisive action of a Liberal Government in a constitutional country. Now, Sir, I say that the responsibility which the Government has assumed in this case by the extreme timidity of its action has been very serious indeed. The question of compensation is one of the most serious questions that can present itself to the House of Commons. As a general rule it is far from a sound principle—it is the reverse of it—that any individual business should be reimbursed out of the proceeds of the general taxation of the country. The rule is that if the acts of the Government cause individual loss it shall be reimbursed out of the public Treasury. If, therefore, the Government undertakes the functions of Parliament, without calling Parliament together, and without taking proper measures to avert the evil, it then becomes a serious question whether or not they have incurred pecuniary liability to those who suffer by its neglect. I do not know in what way the House will deal with that question. It is a very serious one, and I can understand the discontent and heartburnings which exist in different parts of the country in consequence of it. The responsibility of this calamity rests on those who declined to check it. If the Government had in July last, in August, even if when the Commission reported, they had acted with one-half the vigour, decision, and discretion exhibited by the Liberal Government of Belgium, the farmers of the country would never have suffered as they now are suffering. The entire means of existence of numbers have been destroyed because there have been placed in high official position men unable to meet the responsibilities entailed by the offices which they hold.

MR. WILLIAM LESLIE said, that in the county which he represented, and to which several times allusion had been made (Aberdeenshire), they had, on the breaking out of the disease, slaughtered all cattle attacked by the plague. They made a rate which was divided equally between proprietors and tenants, and they were thus enabled to treat with every individual case that was presented to them, and to make such arrangements with the owners of stock that they were enabled to stamp out the disease. This plan had proved entirely successful, and they had succeeded in effectually checking the further progress of the disease in their county. He was not inclined to coincide with those who appeared disposed to blame Her Majesty's Government. He considered that the course which Her Majesty's Ministers had taken was the one befitting the free institutions of their country. The Orders in Council enabled the petty sessions throughout the country to take the proper steps to crush out the cattle plague in their respective districts. Those steps had been taken in Aberdeen, as he could testify, with the most perfect success, and if they had not been taken in other parts of the country, it certainly was not the fault of the Government. The Government was asked why they did not call Parliament together last autumn. He believed that had the Government done so, such was then the temper of the public mind on the subject, Parliament would not have passed any Resolution calculated to place serious restrictions on the cattle trade. He asked what would have been gained by calling together Parliament to pass some half-hearted measure that would have proved utterly ineffectual to check the spread of the cattle disease. As a Member of the Select Committee on the Bill which had been referred to, he must say he thought that Her Majesty's Government were justified in thinking that the late Parliament were of opinion that there should be no interference with the trade of the country. The Bill was withdrawn under circumstances which had been referred to; and, as a perfectly independent Member, he bore testimony to the fact of Her Majesty's Government having done all that was necessary under the circumstances. At the same time, as the representative of a large agricultural constituency, he begged to impress upon Her Majesty's Government the necessity of immediate action in this matter. He repeated that immediate action was highly desirable, and he trusted that Her Majesty's Government would lose no time in introducing a concise but stringent measure.

Sir GEORGE GREY: It is impossible, Sir, to overrate the gravity and importance of the subject that we have for some hours been debating. The ravages caused by the distemper which has now been prevailing for some time in this country fell, in the first instance, on the agricultural interest, or rather on portions of the agricultural interest, in particular districts of the country, with great severity; but there can be no doubt whatever that every class of the community has a deep interest in the preservation of that great article of food which enters so largely into general consumption. I am not, therefore, surprised to find that the debate on the Address has been almost exclusively confined to this subject. Looking to the multiplicity of topics embodied in the Speech from the Throne, I thought it not improbable that some others might be alluded to, upon which the House might expect me to say something. I therefore reserved myself for that purpose, but as I understood from the noble Lord the Member for Stamford that he considered the debate was closing without my having addressed the House, I am quite ready, under these circumstances, to make a few observations. I think no Member of Her Majesty's Government can complain of the tone or spirit in which the hon. Member for North Lincolnshire (Mr. Banks Stanhope) brought this subject before the House, and the House and the Government are alike indebted to him for the frank declaration of his own opinion, as well as for the suggestions which have been offered with regard to any Bill to be submitted to the House. I will not myself enter into that subject or express any opinions upon the suggestions which have been thrown out, because the proper time for discussing them will be when I ask leave to bring in a Bill on the subject, a proposal which I shall make on an early day. But to deal with a few of the objections which have been raised in the course of this debate. Several Gentlemen have implied that the Government were open to censure because they did not at once issue Orders in Council absolutely prohibiting the importation into this country of cattle from any other country. I must say that at no period since it was first ascertained that the disease existed in this country would the Government have been justified in taking such a course, though under an Act of Parliament they had clearly power, if they thought proper, to prohibit the importation of foreign cattle. The matter formed the subject of anxious deliberation, and I do not wish at all to evade the responsibility attaching personally to myself. But I may observe, that in the Act of Parliament no power is given to the Secretary of State for the Home Department; it is vested in the Lords of the Privy Council. In all their deliberations on the subject I took part, and I can bear witness not only for myself but for my Colleagues that we were anxious to do all in our power to check this disease. Two considerations weighed upon our minds, and I do not think this House will visit us with its censure for taking both into account. The first was the desire to do all that was practical and reasonable to arrest the disease; and the ohter was the desire to interfere as little as possible, without an absolute necessity, with the supply of food to the great body of the people. And the difficulty we had to contend with throughout was the necessity of preventing any regulations which might be issued from clashing with either of these important objects. It has been said that we received intimation of the existence of this disease in June, and that for a fortnight we did nothing. What are the facts? Information was not received of any one case till the 10th July. Immediately on the receipt of the information the Privy Council caused inquiries to be made in the dairy sheds in London to which the disease at first was supposed to be confined, with a view to ascertain its nature and extent. They also consulted the Law Officers of the Crown as to the powers which the Crown possessed of dealing with the matter in case the disease should turn out to be, as it did, the Steppe murrain. The interval, therefore, so far from being lost, was spent in making inquiries and in acquiring knowledge, without which it would have been impossible to have acted afterwards. The principal charge against the Government is that they did not take on themselves at once the duty of legislating for the whole country by issuing and enforcing stringent regulations under the power vested by the Act of Parliament in the Privy Council for that purpose. The House, however, will remember that the country was wholly unprepared for such a stringent procedure. Even when the Commission—the appointment of which was censured by the right hon. Gentleman (Mr. Lowe) as wholly unnecessary—made its valuable Report, if the Government had felt disposed to give effect to its recommendations, it would have been impossible to do so without exciting such an amount of opposition throughout the country as must have neutralized altogether the efforts of the Government. The hon. Member for Aberdeenshire has stated that but one opinion existed as to the recommendations of the Commission—namely, that they were impossible recommendations. My right hon. Friend the Member for Calne (Mr. Lowe) implied that my hon. Friend the Under Secretary of State (Mr. Baring) attacked the Commission. My hon. Friend found no fault with the Commission; but when we are told that we should have adopted the recommendations of the majority of that Commission, he endeavoured to show that the reason why we did not adopt the remedy which the Commissioners suggested was because it was not a practical remedy, and even in the opinion of the Commissioners themselves was not a sure remedy against the disease. The Government are accused of not having laid down stringent rules for the whole country, by availing themselves of the knowledge and experience of particular districts, and acting upon that. But first as to the supposed delegation of authority by the Privy Council to local authorities, that is an entire misapprehension. The Privy Council made the Orders, but declared that they should only come into operation when the local authorities in a particular district, to whom its circumstances were, of course, familiar, decided that such Order should be applied to the locality. The authority, therefore, which was put in force remained the authority of the Privy Council, invoked and applied by the local authorities, who must be judges more competent than an authority at a distance could possibly be. Then it has been said that uniform Orders, applicable to the whole of the kingdom, ought to have been made. The Under Secretary has distinctly shown that that would have been absolutely impracticable. If we had made an Order that no cattle should be moved at all in Great Britain, what would have been the feeling of the agriculturists, and of all persons concerned in the cattle trade? What we did, therefore, was to require of the local authorities the expression of their opinion as to the amount of restriction necessary for their different districts, and leave them to give effect to that opinion by bringing the Order of the Privy Council into operation. How is it possible for the Privy Council to have that accurate knowledge of the different circumstances of every part of the country which would be requisite to enable them in the first place to frame such an Order, and then to insure its being carried into effect? Why, even local authorities from time to time have been obliged to recall or modify their own decisions to prevent them from pressing too harshly or vexatiously on the agriculturists in their own districts. The hon. Baronet the Member for Northumberland gave a striking instance of the difficulty of making any legislation universally applicable; for in some cases, though the magistrates had applied the terms of the Order to sheep as well as to cattle, they found it necessary to sanction the removal of sheep from one place to another, otherwise the ordinary operations of farming there would come to a standstill. The Government, if they made a law actually prohibiting the removal of stock from one place to another, would not merely be preventing by anticipation the making of arrangements applicable to such special cases as the hon. Member had referred to; but in districts and counties where the disease had not made its appearance at all, as in the North West of Scotland and some counties in England, would be imposing intolerable restrictions on the people. Allusion has been made to the deputation which came to the Privy Council from the Royal Agricultural Society in December. A prominent member of that deputation was Mr. Thompson, the late Member for Whitby, who was then persuaded of the necessity of some general Order prohibiting the removal of cattle by railway. But since the quarter sessions have had the power of exercising a discretion on the matter, he has written me a letter, in which he distinctly states his opinion, founded on the large experience that he has gained, that it would be utterly impossible to carry into effect in the West Riding the Orders which have been made in the North Riding. In the West Riding he thinks it would be impracticable, for instance, to stop the markets. He has pointed out the serious evils which could not fail to arise from butchers slaughtering cattle at farm houses. The working people, who were well fed and well paid, would not, he wrote, submit to the absolute suppression of the fairs and markets, but would have beef. If the Government had made such an order it would, no doubt, lead to great dissatisfaction in many parts of the country; it would have been said that the Government were adopting more stringent rules than were necessary, and actually contributing to the spread of the disease. The fact appears to be that what answers very well in one county or in one riding may not answer in another, but, on the contrary, may conduce to the spread of the disease. I can assure the House that the Government considered the whole subject with the greatest care and attention, and came to the conclusion that it was only by enacting such rules and regulations as the Privy Council had power to make, and, in doing so, having regard to the various circumstances of the country, to the various conditions which are found to exist in different parts of it, not only in regard of the plague itself, but also as respects the manner in which the farmers carry on their operations and by calling on the local authorities, the leading gentry, and agricultural body to carry them out, we could hope to do anything effectual towards stopping the spread of the disease. We availed ourselves of the experience of the past, and looked to what had been done when the disease broke out in the last century. During the former visitation of the plague very much the same steps had been gone through as on the present occasion. Local authorities were invited to co-operate with the central Government. We came to the conclusion that the most effectual measure to adopt would be to have every beast affected with the disease killed at once, and we gave power to the inspectors to order it. But the Royal Commissioners objected to the continuance of the power, and public opinion was very strongly expressed against it, and we therefore limited the power to cases in which the order for isolation was disobeyed. We could not shut our eyes to the experience of the past. In the last century the Government at length made a General Order applicable to the whole country as some hon. Gentlemen have recommended to-night, but such a feeling was manifested, and such an opposition to it raised, that they were obliged to revoke that Order before the day on which it was to have come into operation. I believe there would have been a similar opposition if the Government had ordered such a measure at the present time. The step recommended by the Royal Commission—that of putting an absolute stop to the removal of beasts throughout the country—would, no doubt, have been the most effectual one; but the only question was—that which weighed on the minority of the Commission—whether it was practicable, and it was the consideration of this question which forced us to the conclusion at which we arrived. It has been urged that all the cattle brought to a market should be slaughtered within the place where that market is held—that no cattle should be allowed to leave the market alive; but my hon. Friend has pointed out what has been the effect on the Liverpool market of what has been done in Lancashire, the Liverpool market being outside the boundary of the borough. Any general order of that kind would have had to be modified, unless we were prepared to stop the supply of animal food to the people. As to the Metropolitan Market, for a long time it has been free from the disease, and I do not believe one case can be shown during the last two months in which the disease was propagated by a beast coming from the market. Very great anxiety, however, has been expressed lest it might be spread by cattle brought from the London market; but, as much of the animal food consumed in Birmingham, Wolverhampton, Manchester, and other places is obtained from beasts coming from the Continent through London, before we made an order prohibiting the removal of any animals from the Metropolitan Market we felt it necessary to communicate with the places interested in this question in the country. We have made an order that no cattle brought into the Metropolitan Market should be allowed to leave the district of the Metropolitan Board of Works. The effect of the regulations of the magistrates with reference to the removal of beasts in different parts of the country has been that the supply of the London market has fallen off to a great extent, and the number of beasts brought here now is much smaller than it was a few weeks ago. Something has been said, in the course of this debate, with regard to Ireland. I will explain what the Government did in respect to that country. In Ireland great apprehension was felt that the disease might be imported; for though it is not a cattle-importing country, cattle do arrive chiefly from the west of Scotland to be fattened in Ireland and afterwards exported. Accordingly, the agriculturists of Ireland were very naturally desirous that every precaution should be taken against the introduction of the disease and they memorialized the Lord Lieutenant, asking for an order prohibiting the importation of cattle into Ireland. I must say that my noble Friend brought the whole of his influence to bear on the Government in favour of such an order. We found that this question had been raised several years ago by persons interested in sheep farms in this country, who were desirous of preventing the importation of sheep from Ireland, where a sheep disease existed at the time. The question was at that time referred to the Law Officers, and it was held that the power of making such an order did not apply to removals from one portion of the United Kingdom to the other, but only to removals from one specified place to another. However, the Law Officers in Ireland were consulted, and they gave an opinion that the power of making such an Order as was asked for was vested in the Government. In this opinion the Law Officers of England concurred, and the Government made the Order. I had not the pleasure of seeing any Irish gentlemen on the subject; but there was much communication between the Home Office and the Irish Government relating to it. As soon as the Report of the Royal Commission was in our hands, we transmitted a copy of it to the Lord Lieutenant, directing his attention to the portion of it relating to Ireland, and asking him to obtain the opinions of persons in that country on the recommendations. The Lord Lieutenant thought that as there had been no Irishman on the Cattle Plague Commission its recommendations could not be adopted as to Ireland without such a course. A committee was thereupon formed in Ireland; they made their report; and their recommendations, so far as they came within the scope of the Act, have been adopted. Should the disease unfortunately break out in Ireland, the authorities there have the power to order the slaughter of beasts in order to prevent the spread of the plague. With regard to compensation from public funds, I ask the attention of hon. Gentlemen to what occurred in the last century. Compensation was then given, but only to the amount of 40*s*., but as we are informed by the Commission, it produced, in the frauds to which it led, very bad results, and in rendering persons careless as to taking proper measures to prevent their cattle from being attacked with the disease. But it is in the power of every county to do what has been done in Aberdeenshire. By means of a voluntary assessment there compensation has been paid for animals slaughtered wherever the disease has appeared, including those in contact with diseased animals, and I believe the fund is not exhausted. This system has been attended with the greatest success. I read the other day a circumstance which reflected credit upon the county of Northumberland. On the appearance of the disease near Hexham the residents in the neighbourhood immediately raised a subscription, and buying the two herds in which the disease had appeared caused the whole of them to be slaughtered. If the same local energy had been displayed in other districts we should have heard fewer complaints about the rapid diffusion of the disease. Upon one other point I may say a few words, although it is not a material one. The legality of the Order in Council which came into operation on the 3rd of January was doubted, because it was supposed that every Act of the sessions dated from the first day of their meeting, which in many cases was the 1st January. The point was raised by the Oxfordshire quarter sessions, and in accordance with their request we took the opinion of the Law Officers, who held that this legal fiction applied only to cases of judicial and not to matters of administrative business. I can only repeat that the Government have been anxious in all they have done to consult the interests of all classes alike. I believe it would be a great advantage if a dead meat supply could be substituted for a live meat supply throughout the country, but such a change cannot possibly be effected without much preparation. I trust we shall obtain the concurrence of the House and of the country in the measure which the Government will introduce on the subject of this night's discussion.

The O'DONOGHUE moved the adjournment of the debate.

The CHANCELLOR of the EXCHEQUER: Although it is rather earlier than the House is accustomed to adjourn a debate of this character, yet, as the attention of the House has been exclusively occupied by a question of great importance, and I believe the hon. Member intends to introduce to the notice of the House another subject demanding much consideration, I do not believe that we could in fairness ask him to proceed to-night. It will not be convenient for the House to proceed with the debate to-morrow, and it will, therefore, be adjourned until Thursday.

House adjourned at twenty minutes to Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, February 7, 1866.

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *appointed*, "to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House:"—Colonel French, Lord Robert Montagu, Mr. Dalglish, Mr. Onslow, Mr. Adam, General Dunne, and Mr. Alderman Lawrence:—Three to be the quorum.

House adjourned at One o'clock.

HOUSE OF LORDS,

Thursday, February 8, 1866.

MINUTES.]—Several Lords took the Oath.

Select Committee—On Private Bills; Standing Order Committee *appointed;* Opposed Private Bills—Committee of Selection *appointed.*

Public Bill—*First Reading*—Sale of Land by Auction [H.L.] (2.)

PARLIAMENTARY OATHS.

OBSERVATIONS.

Lord RAVENSWORTH said, that he had given a pledge on one occasion during the last Session of Parliament that, as it had been admitted upon all sides that some amendment was necessary in the law regulating the oaths administered to Members of Parliament, he would ask their Lordships to deal with the question in a comprehensive manner. But, since Her Majesty had been pleased to call attention to the subject in Her Speech, and as the Government had already given notice to consider the whole subject of the oath taken by Members of Parliament, he considered himself absolved from the engagement he had entered into. Still, he would say that, if the Government proposed a uniform oath for Members of all creeds, they would experience more difficulty than might at first sight be expected. He had given much attention to the subject, and would, of course, give all due consideration to the proposal of Her Majesty's Government when it should be laid before Parliament. He had been, from the moment of his first entrance into Parliament, an advocate for the removal of all religious disabilities, and his opinions upon that subject still remained unaltered; but he would venture upon that occasion to express a hope that the Government, in any new oath they might propose, would take care not to interfere with the authority and pre-eminence of the Established Church, or to derogate in any way from her position as the Church of this nation.

THE CATTLE PLAGUE—DAY OF FASTING AND HUMILIATION.

QUESTION.

The Earl of CARNARVON: I wish, my Lords, to ask the noble Earl opposite (Earl Russell) a question which some may think, perhaps, not very important in itself, but which is certainly important as showing the spirit by which Her Majesty's

Government is actuated in dealing with the present calamity. I noticed in the papers of this morning a report of the proceedings in Convocation; and though your Lordships may, perhaps, think that an odd place whence to gain any information respecting the cattle plague, I wish to ask the noble Earl a question bearing upon a statement made by the most rev. Primate. The most rev. Primate was stated to have said that he had had a correspondence with the Secretary of State for the Home Department respecting the appointment of a day of fasting and humiliation in consequence of the pestilence upon our cattle; and that the right hon. Gentleman had declined to accede to the request, among other reasons on this ground—and I will quote the most rev. Primate's words as reported—

> "Her Majesty's Government do not think it expedient to appoint a day, because national fasts are only observed in event of calamities affecting the whole of the nation, whereas the cattle plague is as yet only partial."

Now, my Lords, I have no intention of going into the question of the expediency or inexpediency of appointing a day of national fasting and humiliation; but if Her Majesty's Government are influenced by the reason assigned by the right hon. Baronet for refusing the proposal, I cannot help saying that I regard it as one of the most extraordinary reasons I ever heard of. Such an idea would indeed go very far to justify the belief, which is very prevalent at the present moment, that Her Majesty's Government are in a great measure indifferent to the class upon whom this great calamity has fallen, and that if any other branch of the community had been similarly affected they would have acted with more vigour. There is, I know, a class of *doctrinaire* philosophers in this country who believe that if every head of cattle in this kingdom were swept away the laws of trade ought not to be disturbed, and that everything ought to be allowed to find its level: but this I am sure is not only not the general feeling of the country, but is generally repugnant to the common sense of the community. The cattle plague is a calamity affecting not merely the agricultural classes—not only those who live on the land and by the land—but it affects every class throughout the country. Indeed, if it continues much longer unchecked, I doubt very much whether Her Majesty's Government will not feel its effects in every department of the revenue and the Excise. Meat, milk, cheese—articles of prime necessity—may possibly rise to famine prices, and the other concerns of ordinary life may become so affected that Her Majesty's Government and the Chancellor of the Exchequer may not improbably be among the first to realize the wide-spread nature of the calamity. I wish, therefore, to ask the noble Earl, Whether the reason assigned in the newspaper reports, as one of the reasons for which the proposal of the most rev. Primate was rejected by the Secretary of State, is correctly attributed to the right hon. Gentleman? If, indeed, Her Majesty's Government needed a reason for the view which they seem to have adopted, I could suggest at least a truer and a more intelligible one; for I could understand their declining to appoint a day of fasting and humiliation on the ground that the cattle plague was likely to bring us fasting enough, and that we have already ample humiliation in the position which Her Majesty's Government have occupied during the last three months.

EARL RUSSELL said, that he intended to lay upon the table of the House so much of the letter of the most rev. Primate, and of the reply of the Secretary of State for the Home Department, as referred to the subject of the cattle plague. The noble Earl would then see that one of the reasons given by his right hon. Friend for declining the proposal was, that there was already in use a prayer sanctioned by the most rev. Primate by which the nation humbled itself before Almighty God, and prayed for the Divine protection in consequence of the cattle plague. He thought the noble Earl would have done well to have waited for the production of the correspondence before indulging in such an invective against Her Majesty's Government.

THE BISHOP OF LINCOLN could not help expressing his regret that the Government should have refused the request of the most rev. Primate. He could assure their Lordships that in the district with which he was connected, and which had suffered, and was still suffering, severely from the cattle plague, the appointment of a national fast would be viewed with great satisfaction. It was true that the form of prayer to which the noble Earl referred was used in the churches each week, but a large proportion of the population felt that a day of national supplication and humiliation was needed. As it was, they were now taking the matter into their own hands, and in many instances parishioners had requested their clergymen to assemble their congregation for the purpose of intercession.

SALE OF LAND BY AUCTION BILL—[H.L.]

PRESENTED. FIRST READING.

Lord ST. LEONARDS said, he rose to call the attention of their Lordships to the law relating to biddings at sales of estates by auction, and would conclude by introducing a Bill upon that subject. In point of fact, there was scarcely an occasion on which an estate was put up for sale by auction without some one being employed to bid on the part of the owner. It was a matter—and he believed the only matter—on which there was a conflict between the common law courts and the equity courts; for while the former held that a sale was actually void if any bidder was employed on the part of the owner, it was maintained by the latter that the owner might appoint a person to bid for him up to a certain value, for the purpose, not of unduly stimulating other persons to go on bidding, but of preventing the sacrifice of his property. The law as to auctions of real estate was the only instance yet remaining which was not construed alike in the courts of law and of equity; and it was quite time this discordance should be put an end to. If a man put up an estate by auction, with the common condition that the highest bidder should be the buyer, and should appoint also a person to bid for him, the courts of law would hold that sale to be void, on the ground that the seller, by his "puffer," had bid for himself. A court of equity, on the contrary, if no unfair advantage was taken by the use of a "puffer," would decide that the sale was good. It was discreditable that such a conflict should exist, and he therefore begged to introduce a Bill to amend the present law upon the subject. By the provisions of his Bill an auctioneer was forbidden to bid at the sale of any property either on account of himself, the owner of the property, or any other persons; but the owner of the estate was permitted to engage a "puffer," who might bid up to a certain price, provided that such price was communicated to him and to the auctioneer in writing before the commencement of the sale. Those provisions would enable a man to insure that his property should not be sold at a price far below its real value, and yet would prevent the public from being induced to give more than the estate was worth by fictitious bidding on the part of either the auctioneer or the "puffer." Great mischief had resulted in past times by allowing auctioneers to bid; and there were numerous instances in which sales had been declared invalid from this practice. There had recently been a decision in a case before the present Lord Chancellor, in which it appeared that the auctioneer and the "puffer" bid eleven times before any *boná fide* purchaser began to bid, and then the property was immediately knocked down to that bidder. His noble Friend on the Woolsack rightly held that this sale was void. He was aware that Lord Loughborough, when Lord Chancellor, had spoken with something like disrespect of the idea that the biddings of one man influenced those of others; but he (Lord St. Leonards), on the contrary, believed that all men were influenced more or less at auctions by the biddings of those around him. In the first place, the biddings at an auction gave some indication of the real value of the property; and, in the second place, a little bit of vanity induced a man to show that he possessed the longest purse. He therefore thought it absolutely necessary that the public should be protected from being taken in by fictitious biddings. In sales under the Court of Chancery, where a bidding was reserved, the sum below which the estate was not to be sold was stated in a sealed paper, which was placed in the hands of the auctioneer, who was not allowed to open it till the sale was commenced. If the bids stopped short of the price stated in that paper, he announced to the persons assembled that no sale had taken place. That was very proper, and this Bill provided that where there was a reserved bidding, as in sales under the Court of Chancery, the sum below which the estate was not to be sold should be stated in writing and delivered to the auctioneer, so that there should be no misunderstanding; and where the biddings were real, but did not come up to the sum fixed, he was to announce that no sale had taken place; but he would then be at liberty to receive any bidding equal to or beyond the sum fixed as the value. An auctioneer acting contrary to the directions of this Bill would be liable to an action for the damage which any real bidder might sustain. There was another provision in the Bill of a different nature. It was not one man in a hundred who knew the extremely important conditions under which auctions took place, and the expense incurred in making up the title was often very onerous. When he came into the hands of his own solicitor, the buyer generally found he had some £200 to pay for making out the title. That expense ought to fall on the seller. The noble and learned Lord concluded by *presenting* a Bill for amending the Law of Auctions of Estates.

The LORD CHANCELLOR said, that the subject to which the noble and learned Lord had called attention was one of considerable importance, and he thought their Lordships were indebted to the noble and learned Lord for the care he had bestowed on it. His noble and learned Friend would not, he hoped, think that he was treating the proposed enactment with disrespect if he declined at present to enter into a discussion upon it; for it was precisely one of those measures with respect to which, until one saw the Bill and entered into its consideration, clause by clause, it was impossible to say more than that its general object seemed advisable.

Bill read 1^{a}. [No. 2.]

OPPOSED PRIVATE BILLS.

The Lords following, namely—

L. Steward
L. Colville of Culross
L. Colchester
L. Stanley of Alderley

were *appointed*, with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each Opposed Private Bill.

PRIVATE BILLS.

Standing Order Committee on, *appointed:* The Lords following, together with the Chairman of Committees, were named of the Committee:—

Ld. President
D. Somerset
M. Winchester
M. Lansdowne
M. Bath
M. Ailesbury
E. Devon
E. Airlie
E. Hardwicke
E. Carnarvon
E. Romney
E. Chichester
E. Powis
E. Verulam
E. Saint Germains
E. De Grey
E. Stradbroke
E. Amherst
L. Chamberlain
V. Hutchinson
V. Eversley
Ld. Steward
L. Camoys
L. Saye and Sele
L. Colville of Culross
L. Sondes
L. Foley
L. Dinevor
L. Sheffield
L. Colchester
L. Silchester
L. De Tabley
L. Wynford
L. Portman
L. Stanley of Alderley
L. Aveland
L. Belper
L. Ebury
L. Churston
L. Egerton

PRIVATE BILLS.

Ordered, That this House will not receive any Petition for a Private Bill after *Thursday* the 22*nd Day of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any Petition for a Private Bill approved by the Court of Chancery after *Tuesday* the 8*th Day of May* next:

Ordered, That this House will not receive any Report from the Judges, upon Petitions presented to this House for Private Bills, after *Tuesday* the 8*th Day of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the Doors of this House and Westminster Hall. (No. 1.)

House adjourned at Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, February 8, 1866.

MINUTES.]—Select Committee—On Printing *appointed.*

Public Bills—*Resolutions in Committee*—National Debt Acts; Savings Banks and Post Office Savings Banks Acts.

Resolution reported—Qualification for Offices Abolition.

Ordered—Exchequer and Audit Departments*; Qualification for Offices Abolition; Railway Travelling in Ireland*.

First Reading—Qualification for Offices Abolition [1]; Railway Travelling (Ireland)* [2]; Exchequer and Audit Departments [3].

DUMBARTON COUNTY ELECTION.

Mr. Speaker acquainted the House, that he had this day received a letter from Mr. Stirling, informing him that it is not his intention to defend his return for the County of Dumbarton:—Letter read as followeth:—

"Cordale, Dumbartonshire,
"8th Feby. 1866.

Sir,—I beg to inform you that it is not my intention to defend my Return for the County of Dumbarton.—I have the honour to be, Sir, your obedient Servant, "Ja. Stirling.

"To the Right Honble.
"The Speaker of the House of Commons."

WEST AFRICAN COMMITTEE.

QUESTION.

Mr. ADDERLEY asked the Secretary of State for the Colonies, What steps have been taken towards carrying out the recommendations of the West African Committee?

Mr. CARDWELL replied, that orders had been given for the final abandonment of M'Carthy's Island not later than the end of June. As regarded the more general recommendations of the Committee, the Governor of Sierra Leone had been appointed Governor of the Lower Settlements. The estimates, including those for steam communication, had been approved by the Treasury, and would be submitted to Parliament. The Governor of Sierra Leone had received instructions to make arrangements for the reduction of the establishment at Lagos. That objectionable state of the law which was proved before the Committee to have existed with regard to domestic slavery would be met either by an alteration of the law or by a restriction of the area of territory.

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

DEBATE RESUMED.

Order read, for resuming the Adjourned Debate on Question [6th February], "That an humble Address be presented to Her Majesty, to convey the thanks of this House for Her Majesty's Most Gracious Speech from the Throne," &c., (see p.) 115.

Question again proposed.

Debate *resumed.*

The O'DONOGHUE said, he was sorry to be obliged to intrude for a very short time upon the attention of the House, and to take a course which perhaps might give an unexpected turn to this debate. While he fully recognized the importance of the question which was discussed for more than seven hours on Tuesday evening—while he deeply deplored the calamities which had been inflicted on England by the disastrous ravages of the cattle plague, and while he would do all in his power to abate and, if possible, to stay them—he thought the question of the state of Ireland was one of at least equal importance, and one which could not and ought not to be postponed. During the life of the last Parliament some of the causes of Irish discontent were more than once pointed out by his hon. Friend the now Member for Cork (Mr. Maguire), and by his hon. and learned Friend Mr. Hennessy, who he was sorry was not there to support him with his great ability. His hon. Friend (Mr. Maguire) was, he recollected, then told by the right hon. Baronet, who was at that time Chief Secretary for Ireland (Sir Robert Peel), in tones which were emphatically triumphant, that there were no causes of discontent, and that Ireland had entered on an era of prosperity and contentment. He thought that must now be some evidence to everyone that the information supplied by Her Majesty's Government to the last Parliament was, to say the least, not very accurate; and it was in order to do away with the injurious effects of this erroneous information, that he was anxious, as early as possible, to place the true state of things before the House and the country. It would be in the recollection of hon. Members that the right hon. Gentleman the (Chancellor of the Exchequer) in consenting, as he readily did, to his Motion for adjournment of the debate on Tuesday night, said he did so as he understood that he (The O'Donoghue) was going to introduce to the notice of the House a question of vast interest. He felt that was a just description of the subject of which he was about to treat, and which gave him a claim on the attention of hon. Members to which, personally, he had no pretension. From the paragraph in the Queen's Speech relating to Ireland he totally dissented, and principally for this reason—that throughout the whole of it there was the assumption that the state of Ireland, as far as regarded legislation, left nothing to be desired; from which, no doubt, it was intended they should infer that those who wished to disturb such a state of things must be the victims of unreasoning impulse, or sanguinary revolutionists intent on robbery and murder. All those connected with the administration of the law —local magistrates, Judges of assize, and assistant barristers at quarter sessions—had declared that there was an almost complete absence of crime in Ireland. In point of morality the people of Ireland need not fear comparison with any other on the face of the earth. There was no country in the world in which revolutionary ideas had made so little way, and in which those unmistakable symptoms of a revolutionary tendency—irreligion and want of respect for social status—were so little known. If the contrary of all this were to be found in Ireland, he could understand it being taken for granted that the fault was altogether on the side of the governed, and not on that of the governing. But when they were told that a spirit of disaffection existed among a people whose conduct in every social relation of life might be said to be exemplary, he maintained that it was impossible to believe that the Government of such a people had nothing to answer for, and that the fault was all on the side of the governed; and he further maintained that it was the duty of those who represented such a people to insist upon the Government, while taking every necessary precaution to preserve the public peace, coming forward and declaring their intention of examining into the alleged causes of this disaffection, with a view, if possible, to their removal. Accordingly he totally dissented from the paragraph in the Queen's Speech relating to Ireland; and, with the permission of the House, he would beg to substitute for that paragraph the following:—

> "Humbly to express our deep regret to Her Majesty that great disaffection exists in Ireland, and humbly to represent to Her Majesty that this wide-spread disaffection is the result of grave causes which it is the duty of Her Majesty's Ministers to examine into and remove."

It appeared to him quite evident, indeed he might say, inevitable, that there should be a difference of opinion in this country as to the actual condition of Ireland at the present time, and as to the causes which produced that condition, how it could be averted, and what steps ought to be taken with reference to the future. But while admitting that various views would, no doubt, be held on these different points, he thought the House would give its unanimous assent to these two propositions—first, that the present condition of Ireland must be unsatisfactory to every man who has her prosperity or the prosperity of the British Empire at heart; and, secondly, that it was the plain duty of the Legislature diligently to investigate the causes which had produced the existing disaffection, and, having discovered them, to deal with them in the way that justice might require. It might appear startling to assert that it was not easy for the House of Commons to obtain a clear notion of the state of Ireland. In the first place, the English—and he spoke of those who were animated with favourable dispositions towards Ireland, and who constituted the majority of the House and the overwhelming majority in this country—were satisfied with a very superficial glance at Irish affairs. For the most part, they derived their notion of the state of things on the other side of the Channel from what was passing in their own country. They there beheld prosperity and contentment as the principal features, and assuming that wherever British institutions existed there must be a like prospect, took it for granted that the stagnation and eternal restlessness of Ireland were attributable to the wavering of the national character or the superabundance of frolicsomeness among the people, which they hoped their own more serious character would in time modify. Like mankind in general, they took the most hopeful view of the case. It was sometimes a difficult thing for a man to discharge his duties to his constituents, and at the same time to occupy an agreeable position in the House of Commons. Grievance-mongers were universally disliked, and more especially Irish grievance-mongers, because the British mind had been worked up to the belief that Irish grievances were the mere creations of agitators and politicians, who must find something to exercise their intelligence and delude their countrymen. The result of this belief, as must be obvious to every one who had had any experience of Parliament, or the press, or of the public mind out of doors, was that an Irish Member shrunk from making himself ridiculous, or, at at all events, wearisome, in the eyes of those with whom he associated in daily intercourse by uselessly urging, year after year, the settlement of questions which, though considered grave and dangerous in Ireland, were in this country regarded as visionary and absurd. Accordingly, even those Irish Members who fully realized the necessity which called for the settlement of certain questions, became gradually, though perhaps unconsciously, animated by the all-pervading sentiment of incredulity as to the reality of Irish grievances, and their statements became more and more diluted until, in the course of time, they acquired that contented flavour which alone was palatable. Then, again, there were some who, notwithstanding the opportunities they possessed, would not see Ireland as she really was, and their version of her condition found too ready credence, owing, in great part, to the exigencies of party. Besides, all hon. Members knew that the occupants of the Treasury Bench, who were supposed to have within their reach the fullest and most reliable sources of information, had an insuperable objection—whether they were Whigs or Tories—to admit that Ireland was not in a prosperous condition. It was not difficult to discover that this arose from the fear that such an avowal would be interpreted as an acknowledgment of incapacity, might produce unfavourable notions in the minds of foreigners as to the efficacy of British institutions and the stability of British power, and that, above all, it would necessitate the renunciation of certain political maxims and the adoption of such a policy towards Ireland as, in the presence of the party exigencies to which he had referred, might lead to unpleasant consequences. Indeed, among all British statesmen he knew of none, except the late Sir Robert Peel, who adopted an Irish policy regardless of party exigencies. The reasons he had just stated justified him in asserting that, in the ordinary course of events, it was not easy for the House to obtain a clear perception of the state of Ireland, and consequently to deal fairly with the country. But this Parliament possessed advantages for dealing with this subject which preceding Parliaments had not enjoyed. Within the last few months extraordinary events had occurred which, he thought, must satisfy every reflecting Englishman that the state of Ireland was very different from that of his own happy and flourishing country, that the grievance-mongers had some justification for their grievances, and that those who, possessing full sources of information, told a different tale were in reality the false prophets, and that the sunny pictures of the Treasury Bench were the imaginary creations of men who either deceived themselves or who for some purpose deceived others. Those events had shown Ireland as she really is. They had enabled hon. Gentlemen to judge for themselves and, he would add, had imposed upon them, as the representatives of the English people, the solemn duty of endeavouring by a just and courageous policy to make Ireland a prosperous, contented, and loyal appendage of the British Crown. At the present moment, from one end of Ireland to the other, among the masses of the people, both in town and country—among millions—there was a feeling of disaffection towards English rule which had only been kept from breaking out into open insurrection by the manifest hopelessness of contending with the vastly superior power of England. This hopelessness, however, had by no means taken the shape of despair—it influenced only the action of the hour, and had settled itself into a resolve to wait for the favourable chances which, it was believed, time and the fluctuating fortunes of nations would certainly bring forth. This dislike to English rule pervaded the whole island, except a few districts, the inhabitants of which, influenced by sectarian animosity, believed that the slaughter of all who differed from them in creed was the first step towards acquiring religious ascendancy. To what, then, was this disaffection attributable? Was it to be ascribed to the labours of the apostles of Fenianism within the last few years? Most certainly not. They found everything ready to their hands, and all they had to do was to establish in a few localities a kind of military organization. Fenianism must be ascribed to disaffection—not disaffection to Fenianism. By the masses Fenianism was looked upon as a kind of insurrectionary experiment, for which they had been long prepared by what had passed in their minds—by the events which had occurred within their memory, by the history of other countries, and by the national traditions. They had not accepted Fenianism, because the Fenian Society, being secret and oath-bound, was condemned by the Catholic Church, and because they could not persuade themselves that Fenianism was adequate to attain the end it proposed, and because they were keenly alive to the consequences of failure. But that man would grossly deceive the House who, from whatever motives, should assert that the sympathies of the vast majority of the Irish people were not on the Fenian side. The Fenians might be described by some as intending only robbery and murder. They might be denounced at quarter sessions and by Puisne Judges, and anathematized by persons higher in authority. But all in vain. The denunciation and anathema only recoiled upon those who uttered them by impairing their influence, for the people of Ireland felt that their country was not what she ought to be, that she was pressed down by many grievances, and that English rule was a cause of them all. So long as this remained, so long the people would continue to regard those who endeavoured to overthrow that rule as true friends of theirs and true lovers of their country. The true cause of the disaffection in Ireland was the impression upon the minds of the people that all the evils that afflicted them were the consequences of English rule. It was utterly fallacious to imagine that this impression was the work of those who had been denounced as "agitators, "demagogues," and "rebel conspirators." The people themselves saw the result of English rule in the poverty from which they suffered, and the precarious nature of their position. Surely nothing more was necessary than the evidence of their senses to convince them of their thorough and complete dependence on the will of others. Their estimate of the value of English rule was derived from the incidents of their daily lives. They knew that the laws and institutions under which they lived were English, and when they found that those laws and institutions failed to insure them a comfortable existence and secure homes, they reasonably and logically condemned those laws and institutions, and held Englishmen responsible for the failure. If O'Connell were living to-day with undiminished popularity, and were to appeal to his countrymen to accept their position and be content with it, they would turn away from him as a traitor to their interests. The question then naturally suggested itself—Was the disaffection of the Irish people based upon just grounds, or could English rule be fairly held accountable for the grievances of which they complained? He, for one, thought these questions must be answered in the affirmative. He passed by, as unworthy of consideration, the oft-repeated assertions that these evils were beyond the reach of legislation, and that legislation had done all that could be done by legislation for Ireland. He would say to the House, "That you are accountable for the state of Ireland is incontrovertibly determined by this fact, that you have deprived the Irish people of the power of self-government, and have taken upon yourselves the duty of governing them. That is your duty under the Act of Union." No lengthened argument was needed to show that 105 Irish representatives could do nothing which was opposed to the views of the 500 and odd Englishmen with whom they were associated in that House, who, in the natural order of things, would on all occasions, as had been illustrated in the course of that very debate, look first to the requirements of their own country. He would not dwell upon the fact of the Union having been carried by force and fraud, and of its never having, through continued misgovernment, been approved by the Irish nation, but he would refer to the disadvantages to be traced to it. The Irish people knew that the mere arrangements for the carrying out of the Act of Union of necessity impoverished their country; they believed that the transference of the seat of Legislature from Dublin to London had placed the Irish Members beyond the reach of Irish public opinion; that it had increased absenteeism, and that it had disorganized Irish society and had weakened the home sympathies of the higher classes, by making them virtually English, socially and politically, and by imbuing them with the notion that, while they could count upon the support of the strong arm of England, they need pay little attention to the goodwill of their countrymen. The people also were well aware that the expenditure of the surplus funds of the public revenue without any appreciable benefit to them, that the possession of all ecclesiastical revenues by the Church of the minority, and that the exhaustive drain of absentee proprietors all combined to inflict upon them, year by year, heavy pecuniary loss. Some of these effects of English rule must co-exist with the Union; but some, and perhaps the more important, were wholly independent of it. They affected, more particularly, the trading, artisan, and labouring classes, and the floating population generally. But there was another and far more influential class whose dislike to the English rule supplied life, hope, and inexhaustible resources to the disaffected of every other class—he meant the agricultural tenants. England having taken upon herself the duty of governing Ireland was responsible before God and the world for the grievances of this class, whose voice had been so often heard in that House, and who by petitions had so often implored those who governed them to pass laws which would save them from the cupidity and still worse passions of their landlords. At this moment there was silence in the homes of the peasantry, as if they were listening for the first sounds of a mighty tempest, foretold by strange signs and threatening clouds. They made no manifestation of political feeling; but to learn what they felt, we must look across the Atlantic at the attitude of their brethren—from whom they might be said to have only just parted, and for whom their hearts were still lonely—marshalling in hundreds of thousands, proclaiming that the day of vengeance was at hand, and calling out to their fathers and brothers in the old home to keep aloof from English party squabbles, and never more appeal for justice to that Parliament which had so often spurned their petitions. The moral of these demonstrations had penetrated to the highest hill and the remotest valley, and had sunk deep into the souls of the peasantry, who were profoundly touched by the constancy and devotion which, far away, amidst the new associations of America, still made common cause with them. No matter how we regarded the thousands of banded Irishmen now parading their numbers as a menace to England in the States of the Western Republic, by the vast majority of the agricultural population of Ireland, by the millions of the Irish people, these banded Irishmen were loved and trusted, and every indication of their growing strength was hailed with delight. All this might afford pleasant and wholesome food for journalists and satirists if, unfortunately, it were not too true that the peasantry had ceased to look to Parliament for the redress of their grievances. If things were as they ought to be, the House could almost afford to laugh at the idea of a foreign force landing on the shores of Ireland, because then the whole population would be prepared to fight for the maintenance of the laws and institutions of their country. What would happen now, if a force came, no matter whence, having the avowed intention to overturn English authority and abolish the hated land-law? Would the landlords be able to appeal to their tenantry in defence of insecurity of tenure and high rents—in defence of a system which allowed one man to sweep away the inhabitants of a whole countryside (as was recently done in Galway by Mr. John George Adair), and even placed the Queen's troops at his disposal to assist him in exterminating the Queen's subjects, in defence of a system which recognized no more right in the tiller of the soil, independently of the will of his landlord, than it did in the beast which draws the plough? It was this system which had made it true, as a right hon. Gentleman had remarked in that House, that "Every man in a certain rank of life who leaves Ireland is an enemy of England." If a hostile force came to Ireland, no matter whence, we should have to contend for the dominion with that force, sustained by the whole agricultural population, to say nothing of the sides which would be taken by the trading, artisan, and labouring classes. No doubt they were indisposed to credit his words; they might think that he exaggerated for a sinister purpose, either to lower their reputation before the world, or to encourage their enemies by giving proof of internal weakness or to gratify an anti-English sentiment. No! he had no anti-English sentiment; the hon. and learned Member for Sheffield (Mr. Roebuck) might laugh, but he did not mind that. He repeated that he had no anti-English sentiment; he deemed it scarcely possible that a man who had had much intercourse with Englishmen should be anti-English. Yet it did not follow from this that he must approve England's treatment of all nations subject to her rule. Perhaps it would be found, before the Parliament was much older, that Englishmen themselves did not know that. What he had spoken he conceived to be the truth, the whole truth, and nothing but the truth. He had spoken with reluctance, because he knew that what he had to say would be disagreeable to those ["No, no!"] with whom it was his ambition to stand well, if he could only do so consistently with truth and without sacrificing the interests of his own country. He could not tell them that Irishmen were loyal and contented, because he knew the contrary to be the fact. He could not tell Irishmen that they ought to be loyal and contented, when he saw they were denied justice. He repeated that it was a ridiculous doctrine that loyalty could exist without a cause, that it could exist notwithstanding continued misgovernment; and it was an equally untenable and ridiculous assertion, that the disaffection of Ireland had any other cause save and except misgovernment. He did not need to come to her Majesty's Government to learn the state of Ireland. He knew there was disaffection—widespread disaffection—in Ireland, the result, as he maintained, of just causes; but he knew, besides, that if Her Majesty's Government declared it was their intention to do all that could be done to remove these causes, and gave proof of honesty of purpose towards Ireland, that spirit of disaffection would subside; that same spirit which now was threatening to break out in an insurrectionary movement, and which possessed, beyond all question, the popular sympathy, and which made the people of Ireland formidable, no matter how they were laughed at or ridiculed. What, then, was to be done? Would the Government persevere in a policy which had produced the deplorable results to which he had borne testimony — a testimony he would not alter if he thought that were the last moment of his life. If that policy was persevered in, it would please the mass of those who contemplated the overthrow of the British Empire, who did not wish to see England conciliate the Irish people, because then the British Empire would be established on a firm and imperishable basis. Or, would the Government diligently and carefully investigate the causes of Irish disaffection, and deal with them impartially and fearlessly? If they did, they would not be required to do anything offensive to English pride—to do anything which in their judgment might tend to the dismemberment of the Empire, or impair the stability of British power; but they would have simply to do certain things which, if England had not dispossessed the Irish people of the right of self-government, would have long since been carried out—things which the Irish people now expected the British Government to do, and by which the Government might acquire an indefeasible title to the confidence and allegiance of the Irish people. The Government would be asked to give Ireland a large surplus revenue to be expended in works of public utility; to impose heavy penalties on absenteeism; to do away with the ascendancy of one Church over another; to assimilate the education system and the Poor Law system to those of England; and particularly to pass an Act of tenant-right, which would give the tenant-farmers a firm hold on the soil; such an Act as would make it impossible for the landlord to render improvements valueless, or worse than valueless, by the action of a notice to quit; such an Act as would give the tenant-farmers of Ireland freedom of thought and action, and relieve them from that mitigated serfdom in which they existed at present. If the Government diligently and carefully investigated the causes of Irish disaffection—if they diligently and carefully investigated what the aspirations and wishes of the Irish people were—they would find he had correctly stated them; and he had done so in no selfish spirit, but he based the claims of the Irish people on those eternal principles of right which should ever guide the policy of statesmen and of nations. If these demands were conceded dissatisfaction would cease; but if they were refused, then dissatisfaction would continue to exist in Ireland until the Irish race had been banished from it. His reliance was upon the native virtue and intelligence of Englishmen; and he was confident that if they brought their love of justice and their intelligence to bear upon the question of his unfortunate countrymen, there would soon be an end of that state of things which imperilled the safety and the tranquillity of the Empire. In the hour of England's need the support of those to whose selfishness she had too long ministered would be but a poor substitute for the millions of true hearts and stout arms which by her policy she had alienated. He could not think that in these days of enlightenment it was their intention to rely upon brute force; his own reliance, in this hour of the crisis of Ireland, and, perhaps, also of England—his reliance was, as he had said, upon the native virtue of Englishmen; and he implored the Englishmen in that House, for the sake of their own country and of Ireland, to demand before it was too late, before blood had been shed, and passion had taken the place of reason, and before the demon of vengeance had been raised, to do something that would give a new direction to thought, by convincing the people that they might expect justice from this united Parliament. He hoped that the Amendment which he now placed in their hands would meet with the approval of the House and of this country, as he was confident it would of Ireland; and he would only further say, that whatever might be the result, he should press his Amendment to a division.

Amendment proposed,

In paragraph 22, to leave out from the word "our" to the end of the paragraph, in order to add the words "deep regret to Her Majesty that wide-spread disaffection exists in Ireland, and humbly to represent to Her Majesty that this wide-spread disaffection is the result of grave causes, which it is the duty of Her Majesty's Ministers to examine into and remove."—(*The O'Donoghue.*)

MR. BLAKE said, he had very great pleasure in seconding the Amendment of his hon. Friend, who had in his eloquent speech expressed himself so well on every topic connected with the subject before the House. It was not his (Mr. Blake's) intention to trespass long on the time of the House, for his main object in rising to second the Amendment was to interrogate the right hon. Gentleman, who was the representative of Her Majesty's Government in the House, as to what policy the Government intended to pursue in reference to the present state of Ireland. A considerable amount of surprise had been created by the only allusion made in Her Majesty's Speech to Ireland—an allusion which referred so much to measures of repression and prosecution, measures which had been resorted to a hundred times before, with a view to the pacification of

Ireland, and had failed as often as they had been tried. So far as giving greater security to the Crown, he might say that, in common with many others, he was inspired with hope when the speech of the right hon. Gentleman the Chief Secretary for Ireland was made recently at the dinner of the Lord Mayor of Dublin, in which he very encouragingly stated that, although the Government had resolved upon strong measures of repression to put an end to the revolutionary movement in Ireland, at the same time it was the intention of the Government to inquire into the causes which required these repressive measures, and to take prompt remedial measures to prevent a recurrence of the same unsatisfactory state of things. Now, it would be exceedingly satisfactory to know whether these observations of the right hon. Gentleman had the concurrence of the Government, and it could scarcely be denied that the House had a right to expect some sort of statement with respect to the matter. His hon. Friend the Member for Tralee (The O'Donoghue) had in his clever speech so clearly pointed out what the remedial measures were which the state of Ireland required that it was unnecessary almost for him (Mr. Blake) to offer any observations on that branch of the subject, as whatever he would say had been already much better said by the hon. Member for Tralee. Having to touch on so many topics the latter had not furnished the House with some statistics as to the condition of Ireland, to show its position as compared with twenty years ago, as well as its present state. For these statistics he was indebted mainly to the works published by Mr. Fisher, of Waterford, on subjects relative to Ireland, on which much labour and ability had been expended, and which afforded valuable sources of information; later he would also quote from a work from the same gentleman about being published, which had appeared in the form of letters in a leading London journal, on the supply of meat obtainable from foreign markets, which had much added to his reputation as a statician and able writer. According to a statement in the Report of the Select Committee of the House of Lords on the Consolidated Annuities, 1852—

> "The gross value of the crops of 1846, had not this calamity (the famine) occurred, is estimated by Mr. Griffiths as follows:—Potatoes, 1,500,000 acres, value £15,000,000; oats, 4,000,000 acres, value £14,000,000; wheat, flax, and green crops, 2,000,000 acres, value £14,000,000; pasture and meadow, 6,500,000 acres, value £8,125,000; giving a total of 14,000,000 acres, and a total value of £51,125,000."

The population of Ireland was 8,250,000 and the value of the produce requiring human labour was £5 per head. Dr. Hancock also estimated the crops of 1862-3 at £27,327,772, of which the return from cattle was £9,751,188, and from crops requiring human labour £17,876,584. The population has been reduced to 5,250,000, and this produce was only equal to £3 per head against £5 per head in 1846. If the value of green crops be added to that of Sir Richard Griffiths' of grass and pasture it would be seen that the annual produce of Ireland was greater in 1846 than in 1861, though the quantity of live stock had increased. There cannot, therefore, have been that great increase in the supply of meat which some persons erroneously supposed. The acreage under each crop in 1862 and 1864 was as follows:—1862, wheat, 356,321; oats, 1,977,528; potatoes, 1,018,212; green crops, 463,772; 1864, wheat, 276,453; oats, 1,814,886; potatoes, 1,039,724; green crops, 401,020; showing a net decrease of 282,640 acres. It appears quite clear that the animal and vegetable produce of Ireland had both diminished in precisely the same ratio as the population. According to Mr. Donelly, the produce from all descriptions of crops in 1865 was about thirty-five millions and a half. Last week Dr. O'Brien, Catholic Dean of Limerick, at the Irish National Association, had truly said in speaking of the decline of Ireland—In 1860, the value of the horses in Ireland was £4,958,488; in 1864, only £4,490,888; in 1860, the value of cattle was £23,441,451; in 1864, £21,172,508; in 1860, the value of sheep was £3,896,288; in 1864, it was £3,699,357; in 1860, the value of the pigs was £1,588,840; in 1864, it was £1,320,331. The total decrease in value on those items in 1864, as compared with 1860, was £3,201,965; in 1863, the quantity of land in Ireland going to waste was 4,543,166 acres; in 1864, the quantity was 4,601,234 acres, showing an increase of waste of 58,068 acres. Again, there was a decrease in cereals in 1864, as compared with 1863, of 122,437 acres. Here, then, we have a decrease of three millions and a quarter in the value of stock from 1860 to 1864; an increase of 58,068 acres going to waste in one year; a decrease of 122,437 acres under cereals in one year; and in nineteen years a decrease of tillage to the amount of 1,223,588 acres, and we are asked to be contented and happy. Need I say that we have a fine proof of our contentedness in the fact that one million and a half of our people ran away from misery between May 1851, and May 1864—that is, over 11,100 a year. It might be supposed—indeed, it had been frequently asserted—that since the population of Ireland had diminished from nearly 9,000,000, to about 5,500,000, that the present inhabitants were much better off by having proportionately a greater amount of produce to divide amongst them; such was not, however, the fact, for poor as the people were in the years just before the famine, on a moderate calculation he believed there was £1 per head more for them from the produce of the country, than there was last year, which was considered a good one. Now that fact, he thought, disposed of the boast about Irish prosperity, as compared with the time there was nearly double the population. As his hon. Friend had clearly pointed out, the remedy for the state of things he described was to give the tenant security for a just compensation for whatever improvements he made in the letting value of the land, in the event of his being evicted, or having to surrender possession. No doubt many hon. Members would say why have this exceptional legislation for Ireland as regards land; has not that country just the same, or just as good, laws respecting land as England? All this he admitted was quite true; but as regards agricultural customs, and the dealing of landlords with their tenants, the cases were very different. It should be borne in mind that Ireland was a conquered country; that nearly all her soil had been three times over confiscated to those who had subdued her; and that besides depriving the ancient inheritors of their estates, different customs and mode of tenure was forced on the humbler cultivator of the soil, to those to which he had been accustomed. Within almost a century laws existed, and were often strongly enforced, which forbade Papists, which really meant no farmer in Leinster, Connaught, or Munster, holding land for a term exceeding thirty-one years, on which three-fourths of the full yearly imposed value was not received for rent; while such were the cruel enactments against the great body of the people, the Protestants and Presbyterians of the North were fostered and encouraged by laws which, under the acts of settlement, or articles of plantation, compelled those who got grants of confiscated estates to let their farms out at rents which would enable the Protestant or Presbyterian tenant to prosper, and failing to do this, the landlord was liable to be deprived of his estates. And thus two laws which existed at the same time—the first conceived in fear, in hatred of a plundered race; and the other to encourage those differing with them in race and faith, became the normal arrangement between the owner and occupier of the soil; and, down to the present hour, influenced the transactions between landlord and tenant; whether as in the north, where custom had almost acquired the force of law in making the landlord not only let his land at a fair rent, and recognize the tenant's right to obtain the value of his improvements; or as in the south led the proprietor to generally exact the interest the tenant could pay, consistently with living in the poorest manner, tenantcy-at-will, and a liability very often exercised of being evicted without being compensated for the improvements his industry had created. Exceptional legislation had been the main cause of these evils, so far as the people of the three provinces were concerned; and it was not, he thought, too much to ask that exceptional legislation should be demanded to remedy, to some extent, at least, the evils it had inflicted on Ireland; and he believed if that House, in its wisdom and justice, took the course which he and others suggested, that so far from injuring the landlords, that the value of their rentals would be increased, their property would be rendered more secure, and the people prosperous and contented, would, instead of being a source of apprehension and danger to the Government, become one of the bulwarks of the Empire; her right hand in the hour of danger instead of a sharp thorn in her side. What did Fenianism owe its origin to? To the settled conviction on the part of the people that what they complained of would not be redressed by constitutional means. He had been obliged to tell his constituents, after nearly ten years spent in that House, that he believed their votes and efforts were thrown away in sending him there, and his own life and means wasted in remaining, so far as there was any use in appealing to the justice or policy of Parliament on the one vital question for Ireland. Fenianism was strong, not on account of its enrolled members, but because it relied on the sympathy of the great mass of the people; the small farmers, tenants-at-will, half-paid labourers, poor artizans, impoverished tradespeople. In the United States it counted its numbers in hundreds of thousands of well-drilled soldiers who had fought and won the battles of the Union—in thousands of Irish evicted farmers who had become the owners of the land they tilled in America—but who strongly sympathized with their less fortunate kindred at home; and the number was still further augmented by the emigrants who daily left the shores of Ireland, carrying such settled feelings of vengeance in their hearts against England. He (Mr. Blake) lived almost in the centre of the southern proclaimed districts. The city he represented was proclaimed; the adjoining counties of Waterford, Tipperary, Cork, and Kilkenny, were either in whole or part proclaimed also; and he firmly believed that if the great mass of the people of these counties, and many others besides, only thought there was a good chance of success, that they would join in the revolution; and he was also persuaded, if the militia regiments raised in the south and west saw England in a difficulty, and that they thought by joining the insurgents they would insure success, they would do it. Now, he would ask the House was not that a deplorable picture for England? In his own locality he had done all in his power, when opportunity offered, to dissuade the people from enrolling themselves as Fenians; and represented to them, under existing circumstances, the utter folly and hopelessness of attempting to cope with the power of England. He felt he was, therefore, entitled to ask Government to do what they legitimately could to remove the cause of disaffection. He was interested in the maintenance of order, as if a successful insurrection took place, in the confusion that would ensue, he probably would lose nearly all on which he depended for his maintenance; and there were many well affected towards the Government, who would be great sufferers, and they had a right to expect that Parliament would do what it could to render them more secure. While on the subject of Fenianism, he would remark that the manner in which the political prisoners, lately convicted, had been treated, had caused great disaffection in many parts of Ireland. It was generally understood that prisoners convicted of political offences should not be treated like common felons. It would be in the recollection of the House that no one had more eloquently laid down than the right hon. Gentleman the Chancellor of the Exchequer that the treatment of political prisoners ought to be different from the treatment of other prisoners. He was indebted for his authority on that subject to a letter of an hon. Friend of his, the late Member for the King's County (Mr. Hennessy), whom he sincerely hoped soon to see again in that House. Mr. Hennessy had quoted a passage from a letter addressed by the right hon. Gentleman to Lord Aberdeen, in which he denounced the Neapolitan Government for having obliged their political prisoners to shave their heads and beards. He granted the right of the Government to punish the persons convicted as political prisoners; but the treatment which they had received was quite different from that of Mr. Smith O'Brien and other political prisoners in 1848, who were taken red-handed in revolt, and whom the Government gave orders to treat as gentlemen. The Fenian prisoners were compelled, after their conviction, to shave off their beards, they were put into convict dress and, previous to being sent on board ship they were heavily ironed; this fact he had from an eye-witness. On their arrival at Pentonville Prison those unfortunate men were subjected to a punishment similar to that inflicted on footpads, burglars, and other criminals of the very lowest grade. The effect of the treatment at Pentonville Prison on the prisoners had been well described by a high authority, Chatham, who stated that when the unhappy men were transferred from Pentonville numbers of them fell into fits, and it was only by allowing them to associate for a fortnight before they left the former prison that this was prevented. The same gentleman stated that for weeks after the prisoners arrived there from Pentonville, it would be absurd to treat them as rational men. Such was the nature of the punishment to which the men recently convicted of treason in Ireland were doomed. The matter was one well worthy of the attention of the House—well worthy of the attention of the right hon. Gentleman who had in such eloquent language denounced the treatment to which the Neapolitan prisoners were subjected. Those Neapolitan prisoners were all, it should not be forgotten, found guilty of as serious an offence against the laws of the country as were the Irish political prisoners—in many cases of a far more serious offence, for some of them had been convicted of plotting the assassination of the King of Naples. He trusted that before the sitting was over he would hear from the Chancellor of the Exchequer, or some other occupant of the Treasury Bench, an assurance that, during the present Session, measures would be brought forward calculated to put a stop to the present deplorable condition of things in Ireland. If that assurance was not given, he would have no alternative save to follow the hon. Member for Tralee into the division lobby.

Question proposed, "That the words proposed to be left out stand part of the paragraph."

THE ATTORNEY GENERAL FOR IRELAND (MR. LAWSON): Sir, I am sure it is unnecessary for me to bespeak the kind indulgence of the House while I rise to make a few observations in answer to the speech of the hon. Member for Tralee (The O'Donoghue), followed by one from the hon. Member for Waterford (Mr. Blake), and to state the grounds on which it appears to me that this House ought not to accede to the Amendment proposed. I was glad to hear from the hon. Member for Tralee the emphatic statement, which he repeated more than once, that he had no anti-English feeling. I am glad that the hon. Member has made that public declaration, for I think it will be of considerable value to himself. But I can only say that, however valuable it may be to himself, it is at the same time one by no means calculated to advance his popularity with the members of the Fenian Brotherhood. I am glad that the hon. Gentleman has made the observation, because—although I confess his speech was characterized—as his speeches always are — by great ability, nevertheless, I think that he has introduced into it some matters of the tone and temper of which, exhibited in the British House of Commons, I might fairly complain. Although, Sir, I am a new Member of the House of Commons, and this is the first occasion on which I have had the honour of speaking here, I have no hesitation in saying that I cannot give any credence to the statement of the hon. Gentleman that Ireland has entirely lost the power of self-government. Nor can I attach any weight to the statement that 105 Irish Members in this House are not able to carry any measure in favour of their country, because they are sure to be outnumbered by the English and Scotch Members. Sir, I do not believe that such is the spirit or temper of the British House of Commons. On the contrary, I am confident that if the 105 Irish Members, or any considerable number of them, were united together in support of any measure which they conscientiously believed to be for the benefit of their country, such measure would receive a full, fair, and impartial consideration, as has always been given under such circumstances by the House of Commons. I therefore think there is no foundation whatever for the statement of the hon. Member for Tralee, that Ireland is deprived of the power of self-government. I, for one, think, as the hon. Member has referred to matters connected with the Act of Union, and has spoken of evils which he attributes to it, that the results have been very different from those alleged. I look upon the question in this light—that it is a much nobler and a higher destiny for a country like Ireland to be able to send representatives into this honourable House to take part in discussions relating to this mighty Empire. Irish Members have been always treated in this House with respect; and I am convinced that when those representatives do present themselves to its notice, acting honestly and suggesting *bonâ fide* measures for the good of their country, that they never will fail to receive a just and impartial hearing from both English and Scotch Members. The hon. Member for Waterford (Mr. Blake) has introduced a matter which appears to me to be alien to the actual subject under discussion, and therefore I am anxious to dispose of it before proceeding to deal with the arguments used by the hon. Member for Tralee, which are entitled to an answer from me, and to every consideration of this House. The hon. Member for Waterford introduced the topic connected with the treatment of the prisoners convicted in the recent political trials in Ireland. I have made it my business to inquire into the matter, and I have ascertained that the statements so industriously made in respect to such treatment are entirely and utterly destitute of foundation. The most absurd and unfounded statements have been circulated. For instance, a statement has been made that corporal punishment has been inflicted on one of these prisoners in Pentonville Prison. I repeat that such a statement is utterly without foundation. And yet that statement has been repeatedly made, accompanied with such details and particulars as would make one suppose that it could only have been made by one who was himself present at the occurrence. Now this story is not only untrue, but there is not the slightest shadow of foundation for it. The hon. Member for Waterford has stated—of course on information furnished to him—that the recently-convicted prisoners in Ireland, now in Pentonville, are undergoing a system of separate confinement; that they are subjected to great and unnecessary severity, and are compelled to herd with footpads, robbers, and the vilest felons. Now, that statement is not correct. It is true they are undergoing the separate system of punishment, but they are not made to associate with the persons whom he has described.

Mr. BLAKE: I wish to say a word in explanation. I did not say that the Irish political prisoners were compelled to herd with robbers, foot-pads, and other felons, because, being subjected to the separate system of punishment, it is of course obvious that such could not be the case. But what I said was, that at Pentonville the political prisoners were subjected to the same mode of treatment dealt out to the ordinary malefactors.

The ATTORNEY GENERAL for IRELAND: That is totally different from what I supposed the hon. Gentleman to state. Those political prisoners must necessarily be subjected to the same system as other persons convicted of equally grave offences. Is British law, I ask, to have respect to persons, and to say, if one man is able to raise himself to the position of a State prisoner by compassing to overthrow the government and the institutions of the country, that, on that account, he is to be treated with more leniency and tenderness than an humbler individual guilty of a heinous crime, into which his ignorance may have led him, or his poverty tempted him to commit? Sir, I think it would be unworthy of any Government to treat such a man with greater severity than any offender of the former class; and, therefore, whilst the most scrupulous care has been taken to prevent any undue severity being practised, instructions were given that those political prisoners should be dealt with precisely in the same way as any other persons in that prison convicted of crime and sentenced to penal servitude. No additional punishment of any kind is inflicted on them, their treatment is exactly similar; and I have heard no argument adduced by the hon. Member for Waterford to show why it should be otherwise. In respect to the letter referred to by the hon. Member for Waterford, written some years ago by my right hon. Friend the Chancellor of the Exchequer, a letter on the subject of the treatment given to the Neapolitan State prisoners, I beg to remind the hon. Gentleman that the observations to which he alluded had reference not, like the men of whose treatment the hon. Gentleman complains, convicted felons, but to untried prisoners, who were kept in custody and subjected to much severity without having been brought to trial. But it never was intended by the writer to say—nor could my right hon. Friend the Chancellor of the Exchequer have ever intended to lay down as a general principle—that political prisoners convicted of conspiracy to overthrow the Government were to be dealt with in a different manner from other prisoners whose crimes after all were not of a more heinous character. I know no such principle in British law as that when a man is convicted of a political offence, if he be one who had occupied a respectable position in society, or a man who had a certain halo around his name, he is to be dealt with more leniently than any other felon convicted of an equal offence and was sentenced to the same punishment. I have, I think, disposed of the observations of the hon. Member for Waterford, in which he referred to the treason-felony prisoners, and I will now venture to approach the immediate subject-matter brought forward by the hon. Member for Tralee. The hon. Gentleman introduced the question regarding Ireland in the shape of an Amendment to the Address moved in this House in reply to the gracious Speech of Her Majesty. The Address does not allege the existence of any general spirit of disaffection in Ireland, but states—what was an undoubted and incontrovertible fact—that a conspiracy against law and order in these countries had been proved to exist in Ireland, a conspiracy condemned, as the hon. Member for Tralee stated, by all classes of the community, by the clergy especially, and by no one more emphatically than by the hon. Member himself.

THE O'DONOGHUE: I am sure the right hon. Gentleman (the Attorney General for Ireland) would not attribute anything to me which I did not say. I beg to state that I did not express any condemnation.

THE ATTORNEY GENERAL FOR IRELAND: I am sorry I should have attributed to the hon. Gentleman anything that he has not said. I think if he did not condemn the Fenian organization he ought to have condemned it, for it is condemned by the unanimous opinion of every right-thinking man in the Empire. I was stating that this conspiracy existed; and then Her Majesty's Speech goes on to state that it has been dealt with by the ordinary legal and constitutional tribunals of the country, and, as I trust, in accordance with the facts. For this temperate expression of an undoubted fact contained in the Speech, the hon. Member for Tralee proposes to substitute the paragraph which he has submitted to the House; and to substitute for an undoubted fact, as to the existence of the conspiracy, another matter which it appears to me is not at all germane to the subject—namely, that wide-spread disaffection exists in Ireland, the result of grave causes which it is the duty of Her Majesty's Government to examine into and remove. I do not stand here to deny that it is the duty of Her Majesty's Ministers to examine into and remove, if they can, any cause or causes of disaffection, whether existing in Ireland or in any other part of the United Kingdom; and I am certain I express their sentiments when I say that it is their anxious wish and desire favourably to consider and entertain any reasonable proposition that might be put forward for the removal of any real grievance affecting Ireland. The consideration of such grievances, moreover, would not be in the slightest degree prejudiced as far as they were concerned by the existence of this conspiracy, calculated though it might well be to prejudice the minds of the English nation and of the English House of Commons against the country where that conspiracy had taken root. But for the House to accede to the Amendment of the hon. Member for Tralee would, I think, be a most dangerous thing; for its adoption would carry with it this consequence, if ingrafted on the statement in the Address with regard to the Fenian conspiracy, that this conspiracy resulted from those grave causes which it was the duty of Her Majesty's Ministers to examine into and remove. Anyone who had read the history of the Fenian conspiracy must be perfectly aware that it has not sprung, as the hon. Member for Tralee supposed, from the misgovernment of the country. The avowed aim of the Fenian conspiracy was not to improve, but to destroy the institutions under which we live. Its organ denounced in unmistakable terms all constitutional agitation for the redress of grievances, and all appeals to the Imperial Parliament. It even represented the granting of Catholic emancipation as injurious to the cause of Ireland, because it tended to render Roman Catholics more loyal to British rule. Those are the sentiments avowed by the organ of the conspiracy; and yet the House is now asked to say by implication that the existence of that conspiracy is to be traced to grave causes which it is the duty of Her Majesty's Government to examine into and remove. In like manner it was declared that the only hope for Ireland lay in an entire revolution, which would restore the land to its rightful owners, and "root out robbers from the land." I am quoting now the very words of articles which have been established in proof upon the occasions when these conspirators were convicted. Finding this to be the line taken, can anybody believe, or will this House be induced to give their assent to the proposition now before them, that the conspiracy was caused by the pressure of unjust laws upon Ireland? Surely the hon. Member must have forgotten that the conspiracy is not confined to Ireland, but extends in immense ramifications to those of the Irish race now sharing in the benefits of the Constitution of the United States, and to some even, I regret to say, among the Irish domiciled in this country and now enjoying the benefits of English rule uncontaminated by the administration of the law as it is supposed to exist in Ireland. Its influence has even shown itself among the persons allowed to compete in the labour-market with Englishmen, and to participate in the advantages and achievements growing out of the almost boundless expenditure of capital in the busy hives of industry. Knowing well the true character of this conspiracy, I believe that any attempt to extenuate or palliate its guilt by suggesting grievances, out of which it might possibly have sprung, will be construed into sympathy with the designs of the conspirators, and I feel sure the House of Commons will not commit itself to any declaration that can be supposed to express sympathy or to be capable of being treated as an excuse for men who have banded themselves together in a daring, though hopeless, attempt to overthrow the British rule. With conspirators of this kind the Government can hold no parley; they cannot negotiate with traitors with arms in their hands. They must be dealt with—as I hope they have been dealt with—according to law, administered in a spirit of vigour, but still with moderation. At the same time, I must express my conviction that Her Majesty's Government would be unwise and short-sighted indeed if they made the existence of such a conspiracy a reason or an excuse for turning aside from investigating any real grievance said to exist which might be removed by constitutional means. I should rather say that the proved existence of such a conspiracy renders it a duty incumbent on Her Majesty's Government more seriously and anxiously to inquire whether there is any cause for this disaffection which it is within their power to remove; because it now behoves the Government of this country to endeavour to combine into one body all the loyal and well-affected subjects of the kingdom, by showing them that the ear of the Imperial Parliament is not closed to their remonstrance, and that the Minister who holds the reins of power in Ireland, as in England, is animated with an anxious desire to promote the interests of that country. Anything which will admit of a practical revision, if brought forward, will, I feel sure, receive at the hands of Her Majesty's Government the most careful and most deliberate consideration. I am not aware that there are any other matters in the speech of the hon. Gentleman the Member for Tralee to which I need refer. He has spoken in the strongest terms of the dislike which exists in Ireland to English rule, and he has spoken in terms of condemnation of certain expressions used by the Crown lawyers in the course of the trials, and by the Puisne Judges, condemning the conspiracy. But I know no language strong enough or emphatic enough to condemn it. It stands condemned by its own manifestoes and its own acts. The hon. Gentleman the Member for Tralee might well have spared the observation, for I believe the learned Judges and the Crown lawyers in the discharge of their arduous duties made no observations with respect to the criminals calculated in the slightest degree to prejudice their case, and that everything they did say was warranted and sustained by the evidence produced upon the trials. The hon. Gentleman the Member for Tralee says there is a dislike in Ireland to English rule, but that it might be removed; and I, for one, heartily wish it were in the power of the Government or of this House to remove it. Every thoughtful man who has lived in Ireland has his own views as to the measures necessary to put an end to the spread of disaffection in that country; and I leave it to such men to say whether a spirit of disaffection such as has shown itself in this conspiracy is to be got rid of by proposals such as those of the hon. Member. But as it would ill become me to canvass any of them on the present occasion, I shall decline to follow the hon. Gentleman the Member for Tralee into the statement of what he expects at the hands of Her Majesty's Government, such as diverting all surplus revenue to Ireland, and of imposing a heavy tax upon absentees. I hope, however, some time hence, to see the hon. Gentleman himself rise in his place to propose a specific measure to that effect, and then I shall be able to discuss it on its merits. I do not now consider myself at liberty to enter upon those subjects, and I shall therefore content myself with merely stating that I agree with the hon. Gentleman that it is the duty of Her Majesty's Government to direct their attention to the causes of disaffection in Ireland, and to express my belief that Her Majesty's Government is animated with a sincere desire to do full and complete justice to Ireland. I trust the House will agree with me that the Amendment proposed by the hon. Gentleman the Member for Tralee should not be adopted.

Mr. GEORGE said, the paragraph in Her Majesty's Speech with reference to Ireland contained three distinct propositions to which no fair and reasonable man could dissent—namely, that a conspiracy dangerous to the prosperity and the welfare of Ireland existed in that country; secondly, that every man possessed of property in that country was hostile to it; and lastly, that (at the eleventh hour) all the ordinary constitutional means were put in force to repress it and put it down. Whilst he admitted that it was a most notorious conspiracy, he could not go so far as to say the Government were justified in postponing their measures until so late a period to put down the threatened rebellion. When they were taken they proved effectual, and he bore testimony to the able manner in which the trials had been conducted and brought to a conclusion by the learned Judges who presided and the able Crown lawyers who had conducted them. The admirable temper, able judgment, and sound knowledge of law, and the spirit in which justice had been administered in Ireland by Mr. Justice Keogh and Mr. Justice Fitzgerald had been a common topic of observation, and the conspirators had acknowledged that they had experienced fair play at the hands of the Law Officers of the Crown. In many instances, those who had been convicted had admitted the justice of the severe sentence which had been passed upon them. A full knowledge of the conspiracy, its nature, and the circumstances attending it, was possessed by Her Majesty's Government long before they acted in December last. The sales of landed property had practically ceased, and English capitalists had been calling in their money for some time past, from the extreme insecurity there was arising from the wide-spread conspiracy. It was known to the Government so long ago as 1848 that a conspiracy of the same description then existed, and the present Head Centre, Mr. Stephens, was well known to have been a coadjutor of Mr. Smith O'Brien. From 1848 to 1859, when Lord Derby came into office, nothing was done; but when he came into power the first step his Government took was to bring the parties engaged in the then conspiracy to justice. The Phœnix conspiracy of 1859 was the Fenian conspiracy of to-day. There was the same connection between them and America then as there was now, the only difference being that at that time the United States were in the enjoyment of peace and tranquillity, and there were no persons to come over and foment and foster rebellion. Now we had a portion of the disbanded American army, composed of Irishmen, come back to feed the flame of rebellion in Ireland. His right hon. Friend the Member for Dublin University (Mr. Whiteside), who was in 1859 Attorney General for Ireland, and himself, were sent down to Tralee and Cork to prosecute certain persons under the Treason-Felony Act, the same Act under which the recent prosecutions had taken place. There were the same proofs of overt acts in administering oaths, treasonable letters, nocturnal meetings, drillings, &c., though they lacked the articles of a treasonable character which were written by some of the persons who had lately been tried, and which threw a light on the conspiracy. Lord Derby's Government had not the benefit of such evidence, but notwithstanding that they put a man named Daniel Sullivan upon his trial. He was tried by that able criminal Judge Mr. Baron Greene; the trial occupied several days, and about fifty witnesses were examined for the Crown; the jury could not agree — ten being in favour of a conviction, and two of an acquittal —they were discharged, and the Commission adjourned until after the Commission at Cork was concluded. Sullivan was then again put upon his trial, when he was found guilty and sentenced to ten years' penal servitude. Another man, called Jerry O'Donovan, but known as Rossa, was put on trial and a bill found against him at Cork. He had written a letter, in which he stated that "he was of opinion that nothing but cold steel and cold lead," as he expressed it, "could settle the question at issue." Yet would it be believed that when the present Government came into office these men were set at liberty. The right hon. Gentleman now the Secretary of State for the Colonies was then Secretary for Ireland, and it was for him to tell the House why men of this description were allowed to go at large. During the trial of these men at Tralee and Cork every effort was made by the Government to secure Stephens, but was made in vain. He was known under a number of aliases and many changes of attire. He then went to America, and remained for a considerable time; but he came back years ago, and his first act was to establish, by the hands of the men so justly convicted of late of treason-felony, that nest of pestilent sedition, the office of *The People* newspaper in Dublin, and the Government were required to give to the peaceable people of Ireland a reason why they allowed this paper to go on so many months unscathed, knowing, as they must have done, that it was read in every pot-house in Ireland, and was spreading its poison among the whole of the population. Although probably not one single owner of property in Ireland sanctioned or countenanced this conspiracy, there were masses of people who did, and who would, if an armed force came into the country, or an armed insurrection broke out in the land, lend their assistance, some few from inclination, many more from intimidation and fear. He, therefore, said that, although the Government were entitled to great credit for the manner in which the prosecutions had lately been conducted, they had a heavy account to settle for the delay that took place in putting law and justice into operation. He had listened attentively to the eloquent speech of the hon. Member for Tralee, and he had only one word to say to the Amendment of the hon. Member. His speech contained no efficient suggestion as to the manner of redressing what he was pleased to call the grievances of Ireland. The hon. Gentleman had indeed mentioned that wonderful panacea, tenant-right; but when that question underwent the most careful consideration at the hands of the Committee obtained last year by the hon. Member for Dungarvan (Mr. Maguire), and every project and nostrum that could be brought forward came to be properly examined, no plain or satisfactory solution of the alleged land difficulty could be discovered; it was found that they must leave the matter to the good feeling of the landlords and the tenants, and that the vague and visionary theories which some had shadowed out could not be carried into practical effect. The Government would, therefore, do well to wait and see what practical measures could be proposed, and not rashly hold out hopes which might lead to the idea that this rebellion was based on grievances of that kind, or that if these nostrums were adopted to-morrow they would be the means of arresting it. With regard to the threatened motion respecting the Irish Church, he would only at present say that, putting the religious aspect of the question out of view, if they polled the peasantry, the farmers, and the labouring men of Ireland, they would find that no class of society was more prized or looked up to in their own districts than the clergy of the Established Church; and it would be an evil day for that country when that most estimable body of resident gentry were interfered with. He believed that that subsoil of disaffection which had been spoken of that night had been to a great extent engendered and increased by the unguarded language of persons in high places, who, having in view temporary political objects on the eve of a general election or the like, let fall words to which an ignorant people naturally attached weight. Thus, although the mischievous language used might be forgotten as soon as it had answered its end by those who employed it, still it remained like bad seed sown in the popular mind, and fructified, perhaps, after many days. He had extracts from the speeches delivered by those who should have carefully abstained from making them, but he would not trouble the House by reading them. He would only say that they had emanated from men who were still Members of the Legislature, some of them filling high positions, and that it was not surprising if they did a vast amount of harm. He would not pursue the subject further, as a full opportunity of doing so would be afforded when the question of the Irish Church came on for discussion. He should conclude by expressing his intention to vote against the Amendment.

Sir HENRY BARRON said, he was unable to see that the Amendment of the hon. Member for Tralee gave the slightest support or countenance to that miserable conspiracy in Ireland called Fenianism. If it did, he would be the first man in the House to vote against it. But, looking carefully at the words of that Amendment, he thought that every Member of the House, on whichever side he sat, ought to support it. If he needed proof of this he found it in the words of the noble Lord who proposed the Address, and, even still stronger, in the words of the hon. Seconder, who represented one of the largest constituencies in Scotland. The noble Lord had said—

> "Had not the prosecutions unmistakably shown the loyalty of the class of men who composed the juries? . . . He did not think, if it was the first, it was the only duty to put down a conspiracy like this, disapproved as it was by the influential classes of the community. There could be no doubt it resulted from a strong feeling of disaffection among the low classes of Ireland, and if it did there must be some cause for it."

In every word of this he (Sir Henry Barron) fully concurred. But in doing so he was far from giving the slightest countenance to the unfortunate men who had been engaged in the conspiracy. He could not condemn the rebellion in terms too strong. He did not know one person of position in Ireland who did not disapprove of these mischievous proceedings. But was this the first conspiracy which had occurred in Ireland during the last half century? On the contrary, had there not been several rebellions or insurrections in Ireland during the last sixty or seventy years? He, therefore, thought it was the duty of the Government to put an end to such a state of things by a searching inquiry into the causes of this disaffection. It was impossible to believe that any country could be permanently in a state of disaffection without a cause. He believed there were many causes of Irish discontent. How else account for the constant emigration of the Irish people to foreign countries? The hon. Gentleman who seconded the Address also, in the course of his speech, said—

> "It was surely the duty of the Government to endeavour to ascertain why this disaffection and discontent existed. They should endeavour to discover whether the reason of this feeling was the present condition of the landlord and tenant laws or the laws relating to education, or some grave wrong existing in the present relations of the religious institutions of the country."

Now, it was somewhat remarkable that both the noble Lord and the hon. Gentleman—the one representing a large agricultural, and the other a great commercial constituency—should have recommended inquiry into the causes of the discontent prevailing in Ireland almost in the very words of the hon. Member for Tralee. The hon. Member for Glasgow (Mr. Graham) said it was the duty of that House to ascertain the cause of the disaffection existing in Ireland. Well, the Amendment only went to that extent. The hon. Member for Glasgow recommended that a searching inquiry should be made into the causes of this misconduct, so as to ascertain whether it arose from the present condition of the laws regulating the relations between landlord and tenant, or the state of education, or some great wrong connected with the religious institutions of the country. Now these were grave causes of discontent lying on the surface of the question. Any one who knew anything of the country and the opinion of the people of Ireland must be aware that such was the case. But were there no other causes? There were other serious causes. He was one of a most influential deputation to the late Prime Minister three years ago, asking, not a grant of money, but the grant of a charter to the Roman Catholic University of Ireland. A charter and a large endowment had been granted to the Protestant University of Dublin, a charter and an endowment had been granted to a University which had no particular religion at all; but the late Prime Minister, in stronger language than he was in the habit of using, plumply refused to grant a charter to any Roman Catholic University in Ireland. This refusal was regarded by the majority of the Roman Catholics of Ireland—the Catholics comprising seven-eighths of the population—as a great grievance and a great insult, from the bishops and archbishops of the Church down to the humblest of the people. Another cause of disaffection in Ireland was the oath which the Parliament required to be taken at the table by Roman Catholics, and which that Parliament had refused to alter so as to bring it in accordance with their feelings. This was felt to be a great indignity to the people of Ireland; and hon. Gentlemen opposite lost at least fifteen votes at the last election by their conduct on that occasion in Parliament. Again, of the fifteen Members who formed the Cabinet not one was an Irishman. Then look at the Irish appointments. The Lord Lieutenant of Ireland was an Englishman. The Secretary for Ireland, up to within a few weeks, was also an Englishman. Then, the Under Secretary for Ireland was also an Englishman. Did hon. Members think that the people of Ireland were so stupid and so ignorant as not to see the insult thus passed on them? He could assure the House that they felt it most acutely; and that there was not a reflecting man in Ireland who did not regard this state of things as an insult. Again, almost every public office in Ireland was headed by an Englishman. He was not attacking individuals, but a principle. The head of the Excise was an Englishman; the head of the Customs was an Englishman; the head of the Irish Board of Works was an Englishman; the head of the Poor Law Board was an Englishman; even the head of the Irish Constabulary was an Englishman. There was scarcely a department of patronage, position, or station in Ireland that was not headed by an Englishman. Would the English tolerate such a state of things in England? Well, all these things united formed an abundant source of discontent in Ireland. He would observe, with deference to the illustrious individuals to whom he was about to allude, that it appeared to the Irish people that the Royal Family had ignored the fact that there was such a part of Her Majesty's dominions as Ireland, and yet there was no part of Her Majesty's dominions in which she had been more enthusiastically received when, like angels' visits, few and far between, she visited that country. She might have exclaimed, in the words of a great conqueror of old, "*Veni, vidi, vici,*" for she had conquered the hearts of the people by her virtues and her high character. The reception on both her visits to Ireland was like that given to Maria Theresa, when she visited her Hungarian subjects, and they said, "Our blood and lives are at your disposal." Loyalty always had been a characteristic of the Irish people. They had been devoted to their ancient kings—the O'Briens, the O'Connors, and O'Neills who had reigned in ancient times, and to their chieftains, the O'Donnels, the O'Farrels, the Desmonds, and the Kildares. Loyalty was essentially a part of their character, and if they were placed on a perfect equality with the people of this country they would exceed them in devotion and loyalty in every sense of the word. When the English people thought fit to behead one King, what did the Irish people do? They stood by their lawful Sovereign and supported Charles II. against all the power of England, headed by that ruthless conqueror Cromwell. They stood with equal fidelity to James II., with all his faults, and it required the great military skill of William III., Schomberg, and Marlborough, to subdue them. It was an enormous mistake to appeal to conspiracies, and insurrections, and rebellions in a free country like Ireland. They had their representatives in Parliament, and were able to appeal to that tribunal; he had such faith in the honesty and intelligence of the people of England and Scotland that he believed they could not appeal in vain. He himself had seen the greatest measures of conciliation, reform, and improvement take place in this country against fearful opponents, great talent, and powerful opposition in and out of this House. He did not forget that the House had granted Catholic emancipation, reform in Parliament, free trade, the abolition of slavery, the repeal of the Test and Corporation Acts, and various other important changes; and he would say to the people of Ireland, "*Nil desperandum*, persevere in a constitutional manner; present your complaints to the House, and no Minister will dare to refuse you so long as you have right and justice on your side." With reference to the Amendment, if he thought it gave any support, directly or indirectly, to the Fenian movement he would not give it his support. He thought it would have been politic on the part of the Government if they had put similar words into Her Majesty's Speech, and followed them up in a spirit of conciliation, showing the people of Ireland that they were in earnest, and capable of grappling with the difficulties which six centuries of misrule had generated in Ireland. The result of that long period of misgovernment had been within the last sixty or seventy years rebellions, insurrections, conspiracies, and various Coercion and Arms Acts. Now, that was not the way to govern any country. It was the duty of the Government to probe the evils of the country, and to apply a remedy to those evils. Half measures would not do. If the Government acted in a proper spirit towards Ireland they would achieve a greater victory than that of Waterloo, for they would conquer the people of Ireland, not by the sword, but by kindness and justice. Before sitting down, he wished to state the opinion of the highest Catholic authority in Ireland (Dr. Cullen) on the subject—

> "Every man who does not shut his eyes against the truth must fully understand that Fenianism is not indeed a dangerous or powerful, but a foolish and a wicked conspiracy against the existing civil authorities, and still more against the divinely constituted authority of the Church of God. Its effects have been most injurious to the country, turning away the minds of the people from their legitimate occupation to wicked, wild, and impracticable projects, disturbing the course of trade, interrupting business, and giving a pretext to the Orange lodges of Ireland to arm all their members, to the great risk of the peace of the country. So far from being a Catholic movement it has been from its first onset conducted by leaders known to be infidels and avowed enemies of the Catholic Church."

Mr. WESTROPP said, that reference had been made by several hon. Members who had addressed the House before him to what, whether correctly or not, were grievances in the opinion of the lower classes of the people in Ireland. It had been stated that the Protestant Church in Ireland was one cause of Fenianism; that the circumstance of the relations between landlord and tenant being in an unsatisfactory state had also conduced to Fenianism; and that the result of these two misfortunes to Ireland was the great emigration from the country. He would not now discuss the Irish Church question and the landlord and tenant question, as no doubt other occasions for so doing would present themselves; but with regard to the exodus of the population from Ireland, he maintained that, so far from being the consequence of grievances, it resulted from the natural order of things. He did not know personally the hon. Member for Westminster (Mr. Stuart Mill), but he knew he stood in the presence of a distinguished political economist, the Member for Brighton (Mr. Fawcett), and he ventured to say before him that the increase of population would always be in proportion to the capital which is destined to support that population. Now, bearing this in mind, and looking back a little to the history of Ireland, it would be seen what had been its effect. And here, *in limine*, he must protest against the habit that Irish Members had of perpetually raking up the fires of past grievances. He was fully willing to admit that the penal laws in Ireland were wrong and mischievous, and that they produced the usual effects which wrong and mischief entail; but he would ask whether the people of England had never had grievances to complain of? Were not the Test and Corporation Acts *pro tanto* penal laws? And were they not repealed subsequently to the laws called *par excellence* penal laws? But did the people of this country ever quarrel over the carcase of these defunct laws? The gentlemen who once opposed or advocated the repeal of these statutes had now ceased to wrangle about them—they had had their fight—the thing was now done with, and they let it rest. But in Ireland, whenever any discontent arose, they instantly went back to the penal statutes which had been repealed for nearly fifty years. To return from this digression, he would remark that when the 40*s*. freeholders were established in Ireland, towards the close of the last century, both the landlords and the Roman Catholic clergy perceived that it was their interest to increase the population on their lands as much as possible. The Roman Catholic gentry were at that time disqualified from entering Parliament, and therefore the landlords—for the greater part Protestants—allotted their lands and made sham 40*s*. freeholders, so that they might be able to go to the hustings with a long tail of these men. The greater the number of 40*s*. freeholders they could bring to the poll, so much the greater was the influence they could bring to bear upon the county Member in order to induce him to procure their sons and dependents places in various situations. The Roman Catholic clergy, who then as now were paid by the contributions of their flocks, of course opposed no obstacle to this increase of population, and so they and the landlords increased in a fictitious way the population of the country. This they were enabled to do by creating a fictitious capital — an unlimited supply of potatoes. Things went on in this way until the year 1829, when the Catholic Relief Bill was passed. Roman Catholics then became eligible as Members of Parliament, and the landlords found that their power over the tenants was gone. The consequence was that they steadfastly set their faces against the subdivision of land, and endeavoured to thrust out as many small tenants as possible; and when the £4 clause was introduced into the Poor Laws, whereby it was enacted that the landlords must pay the rates levied on all farms assessed at £4 and under, they all eagerly strove to thrust out the small occupiers. Hence one cause of the very great emigration from the Irish shores. In 1846, when the failure of the potato crop took place, those persons who had small farms found it impossible to continue on them, and from that time, in consequence of the wages of labour being higher in America, an efflux from Ireland took place. In his judgment that efflux was the natural result of politico-economic causes, and in no way attributable to grievances such as those the hon. Gentleman the Member for Tralee had specified. The right hon. Gentleman the Chancellor of the Exchequer had on some occasion remarked that there were a vast number of amateur Chancellors of the Exchequer. Now, the hon. Member for Tralee had elected himself an amateur Home Secretary, and had propounded what he deemed to be a panacea for Ireland. He (Mr. Westropp) would not venture to follow in the hon. Member's footsteps, but this he would say—that if Ireland was to be governed rightly and discreetly, it must be governed without any reference to party. In Ireland there existed two parties, the constitution of which people did not sufficiently understand. In the South there was a large body of Roman Catholics, formidable from their numbers, while in the North were the descendants of the old Scottish Covenanters almost equally strong from their indomitable resolution. The Orangemen of the North were still animated with the old spirit which animated the Covenanters, and which compelled the English Government to allow them to have their own ritual and their own way of going on. That spirit was of such a nature that they would never allow themselves to be worsted in anything they undertook. Thus, there were two parties in the country, one strong in numbers, and the other strong in consequence of the spirit which actuated them.

For many years Ireland had been governed by an oscillatory Government. At one time the Government was Conservative, and at another time Liberal. Therefore, each of the two parties had to see what Government would be most likely to favour it; and the consequence was that the Lord Lieutenant—who was a sham which it would be a good thing to get rid of—leaned to one side or the other, and thereby caused the party of which he was for the moment the partisan, to be the party which held its head up. For his own part, he believed that the Irish were a good and a loyal people if left to themselves; but the fact was that sinister forces were brought to bear upon them. There were at the present moment persons who held their power, and he might say their existence, by reason of their opposition to this country, and he believed in his heart that until Ireland was governed like Somersetshire, or Yorkshire, or any other part of the British dominions, without any intermediate power, it would not be possible to establish tranquillity and peace in that part of the British dominions.

Mr. SYNAN said, he differed from the hon. Gentleman the Member for Bridgwater (Mr. Westropp) in describing the Government of Ireland a sham—English and Scotch Members might use such language, but the people of Ireland, at least, did not look upon the Lord Lieutenant as a sham. Nor could he without qualification agree with the Attorney General for Ireland, when he said that Ireland by her union with England was raised in the political scale. He so far agreed with the right hon. and learned Gentleman that if they governed Ireland as an integral portion of the Empire, and as they governed Scotland, it would raise her in the political scale:—but while Ireland was treated partly as a conquered province, and partly as an integral part of the Empire, she would not be elevated, but degraded. He desired to express his thanks to the Mover and the Seconder of the Address for the terms in which they had spoken of Ireland. If the representative of the Government in that House adopted the same tone in his observations as those hon. Members had done in theirs, he was satisfied that the object of the hon. Member for Tralee would be fully effected. Nobody who had studied the history of Ireland would hesitate to admit that causes of discontent existed in that country. He did not imagine that any Member of the Government would deny that there were causes of discontent in Ireland; and that being so, there was no difference of opinion between the hon. Member for Tralee and Her Majesty's Government. He should not now enter into any discussion of those causes, for he had no doubt he would have an opportunity of doing so fully before the Session was over. He, however, believed that there never was a more opportune moment for applying a remedy to those grievances than the present. The great body of the people had stood aloof from Fenianism and had remained faithful to their allegiance, and so far they were entitled to the favour of the Government, and the kind consideration of this House. Now was the time for the Government to pursue a policy of conciliation towards Ireland, undeterred by opposition or the selfishness of a class. A few conciliatory words to Ireland at the present moment would be productive of the greatest benefit. It had been said that the cause of the misery of Ireland was agitation—constitutional agitation. He knew not whether hon. Gentlemen on the other side would echo that assertion, but if they did he would refer them, as he would refer all, to the history of the world in disproof of it. Whatever merit might be due to the Government for the manner in which they had dealt with Fenianism, he ventured to assert that it was the constitutional party in Ireland, and not the Government, that had put down Fenianism, and that unless they had been supported by that party their efforts to put it down would not have been successful. It was on behalf of that constitutional party that he asked the Government whether they were not entitled to the reward of their patriotism? Whether or not the present state of Ireland was the effect of agitation, he hoped they would probe the causes of it to the bottom, otherwise they would only skin and film over the ulcerous part. He had, however, great hope from the sound and liberal political principles of the right hon. Gentleman who represented the Government in that House. He hoped that the opening of a new Parliament might be the dawn of a new era and of a new policy for Ireland—a policy that should bind Ireland to this country, not only by the golden link of the Crown, but by the indissoluble ties of social progress and material prosperity. There was a time when one of the greatest of our modern statesmen had thought it his duty to adopt a policy of conciliation towards Ireland, and he dared to hope that the pupil and successor of that great man, inheriting as he did his principles, his wisdom, and his great administrative capacity, would follow his example, and declare to them that night his resolution to send another message of peace to Ireland.

MR. WHALLEY said, that so far as the Amendment related to an inquiry by the Government into the causes of discontent in Ireland he should gladly support it, but he had a few words to say in reference to the assertion that the disaffection would be remedied by what the hon. Member had proposed. They had been informed, for the first time that night, that there was any connection between the Fenian movement and the alleged grievances which it was proposed to remedy; but, notwithstanding the extraordinary demonstration of eloquence to which they had just listened, that connection was as questionable as the grievances were imaginary. No man was more anxious than he was to show respect and affection for the people of Ireland, but it appeared to him that all the propositions which had been put forward in their behalf were mere figures of speech. They were never entertained by the people of Ireland, and would afford not the slightest remedy, if adopted, for the distress in that country. Every one of the alleged grievances of Ireland applied equally to Wales, and a more loyal and peaceable portion of the Empire than Wales was not to be found. With respect to Fenianism, he thought the Government would not be doing its duty unless they inquired into its origin—whether in America or elsewhere—as well as into the progress and extent of it. He could not admit that the language used with respect to it in the Speech from the Throne was what it ought to have been. It spoke of it as a conspiracy against life and property, disapproved by all interested in the maintenance of peace without distinction of creed or class. Was there anyone who could believe that? It was notorious that the Fenian movement was a mere continuation of that of 1848. It would be, in his opinion, an excess of zeal on the part of the Government to attempt to conciliate those fifteen Members who—as the hon. Member (Sir Henry Barron) had said—had been returned by the people of Ireland in consequence of what had been done in another place. Whether the Roman Catholic priests had done that or not, he was not called upon to state. But let them see how matters stood with respect to them. What was meant by all those grants to Roman Catholics? What was meant by the grant for a new university to them? It was clear that this agitation must have originated, as all former agitations in Ireland had done, with the priests, and that it was an essential part of their policy. The true cause of the present state of Ireland was well stated by an hon. Member, and that was the authority of the Roman Catholic Church. Dr. Cullen had been quoted, but he (Mr. Whalley) challenged any hon. Member to quote a single instance in which the statements of Roman Catholic prelates or other authorities during the last fifty years had not been falsified, directly or indirectly. He wished to call the attention of the House to language used by a Roman Catholic prelate. Dr. Manning, trained at the Oxford University, but now the head of the Roman Catholics of England, had given utterance to such sentiments as these—that the Government of England was an usurped Government, and all such Governments were our foes — the enemies of society and of God. It was ridiculous to say, with such teaching before their eyes, that the Government could not trace the course of the disaffection, and hon. Members from Ireland must have taken a low measure of the intelligence of English Members, when they put forward these pretended grievances. He trusted that the Amendment of the hon. Member for Tralee (The O'Donoghue) would be so far recognized that Her Majesty's Government would cause inquiries to be made into the disaffection, and thereby not fall into the errors they had committed last Session.

MR. REARDEN thought that the Government ought to be under an obligation to the hon. Member for Tralee for affording them an opportunity of amending the Speech from the Throne, because there was not in that Speech a single allusion to Ireland, except that which spoke of repressive measures for the Fenian conspiracy. As every one admitted, the bishops and clergy of the people had endeavoured to suppress the disaffection; but the best way to suppress Fenianism was to get possession of some of the "Head Centres," and this would be done if the British Government would adopt the same course of action as if they were at war with a foreign Power. Let Her Majesty's Government send to Washington, to Mr. Seward, a message that the British Ambassador would be withdrawn from the States unless the great Fenian Head Centre of all, who had his head quarters in the United States, were arrested, and this sham Irish Republic put down. If that course were adopted, he, for one, should have some confidence in the sincerity of the Government, when they expressed their fixed determination to crush this miserable, degrading Fenian movement: and then there would be an end to it, for the Fenian conspiracy was not of Irish growth, but was fostered in the United States. The Attorney General for Ireland asked the Irish Members to suggest a remedy, and he (Mr. Rearden) would do so. There were three million acres of waste land in Ireland. The Government ought to encourage private Members to introduce a Bill for the reclamation of these, and they could be distributed among tenant-farmers. If each farmer had thirty acres there would be remunerative employment for 133,314 tenant-farmers. When the land was reclaimed, debentures could be issued on the security of them, which would be transferred as a bill of exchange, and Government would only have to lend their names instead of advancing money. He would introduce such a Bill if no other Member would do so, and from his experience of English Gentlemen during the last thirty years he thought that they would support it. He believed another remedy would be the introduction of such a system of tenant-right as would be equitable to both the landlords and tenants—a system of tenant lease and compensation. He also thought the development of the fisheries was essential to the prosperity of Ireland, and that an advance should be made by the Loan Commission, in order to aid such extension and improvements. The Gordian knot of education for Ireland was the university question and denominational education, and for any instalment of them his country would prove grateful. He trusted that the necessities of Ireland would receive kindly consideration at the hands of the Government, and he felt certain that his countrymen would hail with thankfulness any instalment of legislation, provided the instalment were not of such a character as practically to amount to nothing at all. He felt that much might be done for Ireland in the extension of railways, the development of the fisheries, and in other directions; and he hoped that the day might not be far distant when the prosperity for which his countrymen had so long been sighing was at last approaching.

MR. BAGWELL said, he must accept the portion of Her Majesty's Speech to which exception was taken. Every one must acknowledge that a conspiracy existed in Ireland, and therefore it would be incorrect to expunge the paragraph in question. But if it were not so, it would be the necessary consequence that an enormous conspiracy existed, at the head of which was Her Majesty and Her Ministers, and over which presided two of the Judges, and to which the grand juries were accessory, as well as the independent juries, who had sent to prison, and to penal servitude worse than death, thirty-six persons. If the hon. Member for Tralee had moved his Amendment as an addendum he could not have found it in his heart, as an independent Member, to have voted against it, because what had been stated was the truth, the whole truth, and nothing but the truth. But there was a way of putting things. As now put, the Amendment would make the conspiracy not the work of the Fenians, but of the Government, in order to create a conspiracy for the purpose of crushing the Irish people. He (Mr. Bagwell) could not endorse such a view. He had always, he believed, found himself in the same lobby with his hon. Friend, and should continue to vote with him on any remedial measures for Ireland relating to the Established Church and education. But if it were the last vote that he had to give he should give it against this Amendment—not on its merits, but on account of the form in which it was introduced.

COLONEL GREVILLE said, agreeing in what had fallen from the hon. Member for Clonmel (Mr. Bagwell), he could not support the Amendment. The preservation of order was the first and most essential thing, because society could not otherwise exist, and therefore the Government must be expected to maintain it. But though that was the case, the representatives of Irish constituencies would not be doing their duty if they abstained from saying that their country laboured under grievances which required redress at the hands of Her Majesty's Government. If the Amendment of the hon. Member for Tralee could be moved as an addition to the paragraph in the Queen's Speech, Irish Members might very fairly have voted for it. The Chief Secretary for Ireland, at the recent banquet of the Lord Mayor of Dublin, said—

> "It is the duty of the Imperial Parliament to take away from the disaffected in Ireland every

> excuse, every shadow of excuse that the most distempered and disordered imagination can conceive, and which leads many to believe that there exists physical and violent means for the redress of social and political grievances."

In that opinion he entirely coincided, and he rejoiced that a right hon. Gentleman, occupying the responsible position of what he might call Minister for Ireland, had expressed it. They had also heard from the Attorney General for Ireland that night that it was the duty of the Government seriously to consider the grievances of Ireland, and, if possible, remove them. But, after all, it must not be forgotten that neither of these Gentlemen were in the Cabinet, they were not among those who guided the policy of the Government, and therefore Irish Members were entitled to know from the leader of the House, or at all events from a Member of the Cabinet, whether the Government coincided with the views put forward by the Chief Secretary and the Attorney General for Ireland. It was a fact also that there was no Irishman in the Cabinet, there were but few holding any post in the Government, and therefore, until Irish Members obtained an expression of opinion from some Member of the Cabinet, they were left entirely in the dark. It had been said by the Secretary for the Colonies, in a speech to his constituents, that it was very desirable to regard Irish matters from an Irish point of view, but Englishmen found it very difficult to do that. There were several grievances which had been repeatedly brought under the consideration of the House, and yet for which no remedies had been provided. There was first the education question, then there were the laws which related to landlord and tenant, and thirdly, the question of the Established Church. The so-called mixed system of education, which was not a mixed system at all, but under which religion could not be taught, was one which was not at all in accordance with the feelings of the people, and one for the amendment of which they had made repeated applications to the House in vain. With regard to the land question, it had been repeatedly referred to in speeches from the Throne, and had been made the subject of inquiry by Commissions and Committees, and yet the farmer in Ireland remained without those remedial measures which many of those Commissioners had recommended. And then with regard to the Established Church, that certainly was a most anomalous institution. There was no other country in the world in which the religion of the minority, and that a small minority—about a tenth of the population—totally absorbed the whole of the ecclesiastical property. The Irish Church Establishment had been repeatedly condemned by Members of that House, and yet it remained. That Church had been called a monument of folly; the hon. and learned Member for Sheffield (Mr. Roebuck) had called it a badge of inferiority. It was at the bottom of all the religious differences which existed in Ireland. It was Protestant ascendancy which kept the Irish people disunited and prevented them from joining together for redress of grievances. He must say that the Government had not always shown a disposition to deal with this subject in the proper spirit. It was only last year, on a Motion made by the hon. Member for Swansea (Mr. Dillwyn), that the Secretary of State for the Home Department made use of expressions which would shut out all hope, and which if taken by themselves would be almost a justification for what had lately occurred in Ireland. The right hon. Gentleman, on the 28th of March, 1865, said—

> "We have the Irish Protestant Church established as an existing institution in Ireland. . . . . The firm belief of the Government is that it could not be subverted without revolution."—[3 *Hansard*, clxxviii. 400.]

Now it was only within a few months from the time when these words were spoken that an absurd and mischievous attempt at revolution had been made. The right hon. Gentleman went on to say—

> "We must bear in mind that this branch of the Church of England and Ireland is very dear to a large body of Protestants in Ireland, and they would not give it up without a struggle."

But what institution ever existed that was not dear to some one or other? He (Colonel Greville) was a member of the Church of England, and he declared that he believed that nothing could be so injurious as an establishment founded on injustice, wrong, and oppression. But he turned with great consolation from that speech to a statesmanlike speech delivered by a man who, he was glad to see, was now the leader of that House. The right hon. Gentleman (the Chancellor of the Exchequer), in the course of the same debate, declared it to be unsatisfactory that

> "In a nation of between 5,000,000 and 6,000,000 people, 600,000 or 700,000 should have the exclusive possession of the ecclesiastical property of the country, intended to be applied to the religious instruction of all."—[3 *Hansard*, clxxviii. 423.]

Again, as long back as 1835, Lord John Russell, on a Motion of Mr. O'Connell's for an inquiry as to the means by which the Union was effected, declared that he thought the Irish people had a good cause of complaint in the Irish Church. He hoped the noble Lord at the head of the Government would think fit to introduce a measure for the removal of this grievance, and that this would be done speedily—for many measures, when adopted, by long delay lost their good effect. When an evil was allowed to continue for a long time it caused other evils to arise, which would not have occurred if a change had been made at the proper time. He contended that it was the duty of the House to consider this question, and to relegate whatever was unjust, and when they had done what was right and just they must leave the rest to Providence. He trusted that on that evening they would have from the Chancellor of the Exchequer, or from some other Gentleman who sat on the Treasury Bench, an assurance that the Government was about to introduce some measure with reference to the Irish Church calculated to satisfy the just claims of the people of that country. A late distinguished leader of the House of Commons—a man who had received nearly as much support from Gentlemen on the opposite as on his own side of the House—used very remarkable words with reference to this subject. In a debate on the Maynooth Grant in 1845 Lord Palmerston said—

> "I conjure the Government not to be deterred by any of the difficulties into which this measure has brought them from going on in the path of which they have announced that this is only the commencement, but I do conjure them not to delay. I conjure them to lose no time in bringing forward those other measures which I am convinced they must have in their minds as a sequel to this Bill about Maynooth."—[3 *Hansard*, lxxix. 1305.]

It was evident from those remarks that it was then believed that Government was about to follow up the Maynooth Bill by a comprehensive measure, which would deprive the Irish Establishment of the entire possession of the funds devoted to religious purposes in Ireland. Unfortunately, that had not been done then; it was not, however, as yet too late to do it; and while, on the one hand, he did not believe that the adoption of such a measure would remove all cause of complaint—would make Ireland like England—he firmly believed that it would go far to remove the dissatisfaction and disaffection which undoubtedly did exist at present in the former country.

Colonel Greville

Mr. MAGUIRE: Sir, before addressing myself to the subject under the consideration of the House, I desire, at the request of my hon. Friend the Member for Tralee (The O'Donoghue), to make an explanation on his behalf, inasmuch as it is not in his power to reply to the observations of the Attorney General. My hon. Friend wishes me to state that he did not express any condemnation of Fenianism, for this reason—that, had he done so, such condemnation might be interpreted to mean, either that no cause for disaffection existed, or that the people of Ireland were bound to submit to an eternity of misrule. The hon. Member for Tralee said that he spoke in no anti-English spirit, and the Attorney General remarked thereon that that statement of the feeling of my hon. Friend would not make him popular among the Fenians. Now, I can inform the right hon. Gentleman and the House that my hon. Friend was not popular among the Fenians, and that he has, in the strongest and most marked manner, been assailed by the leaders and the organ of that movement. More than this I do not think it necessary to say on the part of my hon. Friend. For my own part, I rise in no anti-English spirit, but I do rise in an anti-Fenian spirit. I do not say this with the contemptible object in view of obtaining a momentary applause; for in my own country, in my own city, in the midst of a population deeply discontented and widely disaffected, I have done my utmost to impress upon my fellow-countrymen the folly, madness, and mischief of that insensate movement; not only at the risk of loss of popularity, but at the more serious risk of grave misapprehension. But although I oppose Fenianism, as injurious to the best interests of my country, I am not here to say that there are no real causes of discontent, or even disaffection—at least, for that state of the popular mind which leads to disaffection. Did I say that no cause for discontent existed in Ireland, I should state that which I do not believe. Before referring to some of the causes for discontent which unhappily abound in Ireland, I would offer a suggestion to my hon. Friend the Member for Tralee. I would advise him to add his Amendment to the paragraph in the Address, rather than move it as a substitute for that paragraph. But if my hon. Friend press his Motion to a division, I will certainly vote with him, as I prefer the terms of the Amendment to the paragraph in the Address; for while the paragraph in the Address thanks Her Majesty for informing the House of that with which the House is already thoroughly acquainted, the Amendment opens up a question of the most pressing importance, and which it is absolutely necessary to press upon the earnest consideration of Parliament and the country.

Sir, I believe no man who knows anything of Ireland will deny that the present crisis in Irish affairs is one of a really grave and serious nature. Certainly, the Government will not venture to represent it in any other light. They cannot pretend to say that the Fenian movement is not one of great importance, or that it is not ramified extensively through the country, or that the sympathy felt towards it is not wide-spread and general. If it be not a movement fraught with serious danger to the peace of the country, how comes it that two Judges of the land have been solemnly engaged for nearly three months in trying persons charged with conspiracy against the Crown and authority of the Queen?—why have some thirty-six men been sentenced to various terms of imprisonment and penal servitude—a punishment only less terrible than that of death? —why is it that regiment after regiment is being poured on the shores of Ireland, until the island is crowded with troops?—why is it that proclamations are spreading over county after county, until the whole kingdom threatens to be placed under the ban of the law?—why, in a word, has the Government put forth its utmost strength to crush this conspiracy and punish its leaders? Why all this if the movement is not one alike serious and full of danger? In making these remarks I desire not to be misunderstood. I speak in no tone of menace; and should any English Gentleman so understand me, I can only say nothing is further from my thought or intention. I desire to deal seriously with a subject of great gravity. I also, in order that there can be no misconception of my meaning, desire to express my own views, clearly and distinctly, in reference to this movement; and in doing so, I only repeat what I have expressed elsewhere, and with a far deeper sense of personal responsibility. I believe, then, that no wilder, more absurd, or more desperate notion could be entertained by my countrymen, either at home or abroad, than that of endeavouring to overthrow the mighty power of England by the efforts of an unarmed, an undisciplined, a divided people. I go further, and supposing, for the sake of illustration, that such a thing were possible as that the movement could be successful, I should deplore it as one of the most terrible calamities that could befall my country. I say, suppose an armed insurrection, aided by a foreign Power at war with this country, to be successful, what would be the immediate as well as the ultimate result? I shall not attempt to describe the horrors of the struggle, or the consequences of success; but I can imagine a state of things even more awful still — more terrible and disastrous to my country — when, at the close of the war with the foreign Power that had assisted Ireland to achieve a momentary independence, Ireland would be handed back to the mercy or the vengeance of England. Than such an insurrection, than such a momentary triumph, I can imagine no greater calamity, no more fearful disaster to my country. If, then, I regard Fenianism with apprehension, it is not because I anticipate an armed insurrection, or that I contemplate the possibility of its success, but because it is fraught with the worst possible consequences to Ireland herself. Not only is it calculated to keep Ireland in a state of chronic excitement, fatal to every healthful attempt at improvement; but if it be not suppressed—and the power of the law alone is unequal to do this—it will be a scandal and disgrace to England, and a source of weakness and embarrassment to the entire Empire. It is in this spirit that I desire to speak of Fenianism to this House and to the people of this country—as something grave and serious, and therefore to be inquired into in an enlightened and generous spirit. The Attorney General seems to think that if my hon. Friend's Amendment were adopted, it would be as if Parliament were to parley with traitors, and negotiate with those who had arms in their hands against the authority of their Sovereign. I deny that the terms of the Amendment can be fairly strained to bear any such construction. The noble Lord who moved the Address (Lord Frederick Cavendish), and the hon. Gentleman who seconded it (Mr. Graham), spoke in the very spirit in which the Amendment of my hon. Friend is conceived. The hon. Member for Glasgow (Mr. Graham) almost went over the same ground as that taken by the hon. Member for Tralee. He indicated the existence of certain grievances, and he said that the Government and Parliament should inquire into their existence, and that, if proved to exist, they should provide a remedy for them. In the present condition of Ireland Irish Members would have neglected their duty if they had not raised this discussion, and called the attention of Parliament and the country to what they believed to be the causes, or some of the causes, of the state of things which as Irishmen they have every reason to deplore. One of the causes of discontent—of that state of feeling which leads to disaffection —has been the fatal policy adopted by the Government of ignoring the existence of distress and suffering in Ireland. The late Lord Lieutenant of Ireland, from his naturally easy and amiable nature, was ever inclined to take the most hopeful view of public affairs, and desired on all occasions to present the pleasant side, and that alone, to the view of the English public. From time to time, during years of great and wide-spread distress in Ireland, I brought the condition of that country before this House. Sometimes I was met by derision, sometimes by incredulity, sometimes with positive denial, and even expressions of anger and condemnation. On those occasions English Members naturally turned to the Government to learn from the responsible Advisers of the Crown what was the truth with respect to the real condition of the Irish people; but, unhappily, the Government rather led astray than enlightened the mind of Parliament as to the state of Ireland. Not only did they distinctly declare that no serious distress existed in that country, but they boasted, on the contrary, that she presented the most marked symptoms of progress and improvement. What is now proved to have been the fact? What is now the property of the historian? That in the years '60, '61, and '62, some £30,000,000 of agricultural property were lost by a people almost wholly dependent on agriculture by successive bad harvests. On Tuesday night there was much lamentation in this House because the cattle plague had, in a rich country, destroyed property to the amount of £1,500,000; but when £30,000,000 of property had been destroyed in a poor country, the statements of that country's distress were either derided or denied. That was not wise statesmanship on the part of the Government; for if they could not have applied a remedial measure, they might, at least, have given some kind and consolatory assurance of their sympathy. There is, or rather was, a cause for discontent and dissatisfaction created by the tone adopted by certain public writers against Ireland and Irishmen; and I am the more free to refer to it now as, happily, the tone of the English press is sensibly and beneficially changed towards both. The slashing leaders of the great journals representing, or affecting to represent, Englishmen, and helping to form English public opinion, and their small imitators throughout this country, have done more to sow the seeds of hostility between the two countries, and exasperate the people of Ireland, than even vicious legislation could have accomplished. It is scarcely possible to over-estimate the effect of this vitriolic rhetoric of the desk upon the minds of a sensitive and suffering people; and I have reason to know that it inflamed the ardent and high-spirited youth of the country with sentiments of the bitterest hatred and hostility. Happily, a better, a wiser, and a more patriotic tone pervades the public press of this country; and instead of galling taunt and irritating sneer, we now see evinced a readiness to deal with Irish interests in a kind and conciliatory spirit.

It has been said to-night, as it has been said before, that Irish Members have proposed no measures of redress; while, on the other hand, my hon. Friend the Member for Tralee has been blamed for having proposd too many. For instance, my hon. Friend has suggested a tax upon absentees. With the justice of such a tax I cordially agree, for I would, were it possible, punish men for their neglect of their duties to their country; but I leave it to the wisdom of Parliament and the nation to say whether they should be so taxed or not. But, coming to a grievance which is not only practical, but capable of legislative redress, I say—and I speak with authority when I do so—that the state of the relations between landlord and tenant in Ireland is at the very root of the mischief. I admit that the Catholics of Ireland, who constitute more than two-thirds of the people of Ireland, are insulted by the enforced maintenance of a dominant Church, supported by the State with all its power and influence, for the sake of the one-tenth of the population. And the feeling of bitterness and discontent with which this standing insult is regarded is aggravated by the opinions expressed during last Session from the Treasury Bench. The present distinguished leader of the House then stated, at least in substance, that, viewed in the abstract, the Irish Church Establishment had not, argumentatively speaking, a leg to stand on. It cannot be defended in argument. The continuance of such a wrong naturally exasperated and alienated from the Government, which sustained while it condemned it, a large class of the high-spirited Catholics of Ireland, who felt it to be an insult to their creed and their consciences. But I repeat my confident assertion that the land question is at the root of the evil. There are hon. Members here who affect to think that this is an imaginary grievance. To show that it is no imaginary grievance, I give for their information one of the latest cases that has occurred. This happened in Tipperary about a month since. A gentleman who had lately become the owner of a certain property in that county evicted—in other words, turned out on the road-side—thirty families, consisting, it may be, of 200 persons. Why were they thus dealt with? Were they disloyal? Were they Fenians? Were they declared enemies to the Crown and authority of their Queen? Were they idle? Were they dissolute? What crime had they committed? None—none whatever. The amount of their guilt may be tested by the fact that they owed no rent, and that they offered to pay to the last farthing whatever rent the new proprietor would wish to impose upon them; but the purchaser under the Court of Incumbered Estates, which was to effect such a happy revolution in Ireland, turned out these innocent and unoffending people simply because he wanted to clear them off the face of the land. These 200 people are, perhaps, already on their way to America; they either are or will become emigrants—and am I to be told that their migration is the natural result of the necessary operation of certain economic laws, as has been intimated this evening by a speaker who did not seem to possess a remarkable knowledge of the state of things in Ireland. I say such migration as theirs is the result, not of the natural and inevitable operation of certain economic laws, but of the continuance of a law which should not exist, and of a power which no law should allow any human being to exercise against his fellow men. If, as I may fairly suppose, these evicted tenants, these guiltless people, are now on their way to America, what must be their sentiments towards the Government and the institutions of a country under which a landlord is permitted to exterminate without mercy or compunction? Do the Irish people demand anything impracticable, unjust, or revolutionary? Certainly no. They simply ask that if a tenant be evicted from his farm, he shall be entitled to receive full and fair compensation for the substantial improvements effected by his industry and capital on or in the land. What can be more rational than such a proposition? Its principle has been admitted over and over in this House and in its legislation. In 1860 it was fully admitted in an Act which, being devised in a timid spirit was so complicated, so restricted, so miserably small in its inducement to improvement, that it fell still-born, and has been disdained by the tenants of Ireland. For more than twenty years different Governments have made solemn promises to the people of Ireland to treat Ireland as an exceptional case, and deal with it by exceptional legislation; and those promises have never up to this hour been fulfilled. Therefore, if there be cause for dissatisfaction, disaffection, or even Fenianism, in connection with this unsettled land question, I must charge my Lord Derby, the late Duke of Newcastle, and every successive Administration for the last twenty years, with being the prime movers of discontent. On the part of the tenant, I advocate no legislation which would deprive the landlord of any right which he ought to exercise; but when landlords expel, or attempt to expel, their tenantry from their native soil, I would compel the landlords by law to give their tenants such substantial compensation for improvements as would either deter them from carrying out their intention, or if they did carry it out, would at least save the evicted tenantry from being driven forth as beggars on the world. That is not a revolutionary but a just and rational proposition. Another thing the Legislature should do is to devise some means by which landlords would be induced to give leases. Leases are, in my mind, essential not merely to the security of the tenant, but to the prosperity of landlords, tenant, and country. From the want of this security, which is felt by the tenant-at-will — and tenure-at-will is the tenure of the country — the energy of the tenant is paralyzed, improvement is comparatively at a standstill, and the agriculture of Ireland is what it has been represented as being by Judge Longfield, in his evidence last Session—in a very backward state. Let those who doubt the testimony of that eminent man believe the evidence of their own senses. No one can pass through the country—a country of natural fertility and mild climate—without being impressed with the extreme backwardness of its agriculture, and the general poverty it presents to the eye; and this state of things exists in spite of the fact that Irish farmers are frugal, thrifty, and laborious, whenever they have security for the enjoyment of the fruits of their labour, energy, or capital. The House may not pass a law compelling landlords to give leases—that I do not expect they will do, while I am certain such a law would be beneficial to both; but Parliament might take from the landlord the power of distress unless in case his tenant held by lease. I assert, Sir, that the great grievance of Ireland, the main cause of its discontent, is the existing state of the relations between landlord and tenant. This is what has given the most powerful stimulus to emigration, which is still pouring forth in strong and mighty volume. The noble Lord who moved the Address told the House that these hundreds of thousands of emigrants left the shores of Ireland with a feeling of indomitable hostility to England. The noble Lord was strictly accurate in his statement. It is scarcely necessary to corroborate that which is notorious; but I shall call a witness of unimpeachable veracity, and one who speaks with the fullest knowledge of the feelings of the Irish people. I refer to the Right Rev. Dr. Keane, the Roman Catholic Bishop of Cloyne, a distinguished prelate of his Church, one who, while seeking to obtain redress for the real grievances under which the people suffer, stands firmly between them and evil counsels, and who, as a priest and a patriot, uses every influence to dissuade his flock from rash and ruinous courses. When examined last Session before a Committee of this House, Dr. Keane used these words—

> "I may state to the Committee that I never knew a period in which there was more estrangement, more dissatisfaction, more disaffection to the Government under which they live, than there is at the present moment. Amongst those that go away, there are expressions on their lips of burning hatred against what they complain of—the neglect and misrule of the English Government."

And his Lordship again remarks—

> "I do not think I could overrate the amount of discontent that is in the very depths of their souls."

When such feelings exist, is it to be wondered at that the Fenian conspiracy has been so largely adopted in Ireland? Some 100,000 of the Irish people annually leave the shores of their native country for America, where they join their brethren, the majority of whom have been compelled to leave from the same causes; and carrying away with them such feelings as are described by Dr. Keane. I am right when I say that such an emigration is alike dangerous to the present and future peace of Ireland, and to the strength and stability of this Empire. It behoves Parliament to inquire into the causes of Irish poverty and discontent, and endeavour, by wise legislation, to change the feeling which now exists, from one of hatred to one of amity. I do not mean to say, for I do not believe it to be the case, that anyone has left Ireland because of the existence of the Church Establishment in that country; but I say it is a cause, and a just cause, of bitterness and discontent. There are those who assert that in seeking to abolish the temporalities of the Established Church, the motives of priests and people are not pure—that, in fact, they only want to have their share in the spoil of the Establishment. It is well that there should be no possibility of mistake on this head. I solemnly believe that the Catholics of Ireland, priests and people, would not touch one farthing of the revenues of the Established Church—would not apply one farthing of them to the support of the Catholic clergy, or their church. Any attempt to appropriate any portion of the spoils, as they are so called, would be dishonour and disgrace alike to priests and people. The motives of Irish Catholics are pure with respect to this question, which, though not of the greatest magnitude, is one that affects the state of public feeling materially. Some persons, groping blindly in search of the causes of discontent, are weak enough to imagine that the ills of Ireland could be cured by the payment of the Catholic clergy. Sir, in my opinion, such a proposition is utter madness and folly; but could it be carried out, it would be fatal not only to the dignity of the Catholic Church, and the honour of the Catholic clergy, but to the peace and tranquillity of Ireland. It has been even proposed to restore the 25 per cent taken from the tithes in 1832, and out of the whole to carve two great portions—one for the Catholic Church, and one for the Protestant Church. In answer to this absurd proposition, let me ask one, and in my mind important, question—how is it that the Catholic clergy have had such power to aid the authorities in checking the Fenian movement, and to a certain extent baffling the hopes of the Fenian leaders? Because they are independent of the State, and intimately connected with their flocks by ties of mutual confidence and affection. But once link them to the State by means of annual stipend or provision, and from that moment, in the eyes of the people, the sacred robes of the minister of the sanctuary would seem to be degraded into the livery of the Government. Forty years ago Dr. Doyle, one of the most eminent prelates of the National Church of Ireland, indeed of any church, was examined before Committees of the Lords and Commons, and that illustrious Bishop gave testimony on this very subject. He said he was opposed to the acceptance of any emolument or provision from the State, and that he would prefer to receive the slender stipend which he received from the people whom he served. He warned the Government of the day against the danger of subsidizing the Catholic clergy; for he said that, though it might be possible to attach the clergy to the Government, the certain result of a paid priesthood would be to alienate the people from the priests, and more so from the State, all those over whom they desired to exercise control; and that the very means adopted to increase the influence of the Government over the people would most surely weaken and even destroy the influence which they desired to have exercised in their favour. The opinions expressed by Dr. Doyle, forty years ago, are those of the Catholic bishops, priests, and people of this day. It is true there are men who flout the authority of the Church, and who oppose the wise counsels of its ministers; but they are few in number, and the influence of the clergy is still powerful and salutary in Ireland. Why? Because they are not stipendiaries of the State. For myself, and indeed on the part of Roman Catholics without exception, I may say that, whatever our feelings may be with reference to the temporalities of the Established Church, we have no feeling of hostility to Protestants or their Church, in its spiritual sense. We simply desire to do towards our Protestant brethren as we wish to be done by. Our Church is a voluntary Church, and it flourishes in strength and vigour, notwithstanding that it does not receive support from the State. Why should not Protestants depend for the vitality of their Church on the allegiance and affection of its followers as we Catholics do? If a Church cannot be supported by its own followers, the sooner it falls the better. We say to Protestants, remove what is rotten and treacherous from your Church, and thus allow full play to the spiritual element, which is the living principle of faith in the truth and purity of the religion you profess. There are other panaceas suggested for the ills of Ireland, such as Royal visits to Ireland, the constant residence of a Member of the Royal Family in that country, and the abolition of the so-called sham Royalty in Dublin. No doubt the Irish people would hail with delight the presence of their Sovereign among them. As for the abolition of the Lord Lieutenancy, that is a question into which I do not care to enter. But none of those things will cure the ills of Ireland. Discontent, disaffection, Fenianism if you will, is not to be put down by such palliatives. Neither is it to be put down by the power of Government—it is to be put down and banished by the influence of public opinion based upon a wide-spread belief, in good laws and a wise Government. It is said that Fenianism is of foreign origin, but this I deny. Its organization may be in America, but its spirit is in Ireland. The peasant who leaves your shores to-day flings his contribution into the Fenian treasury the moment he lands on the shores of America. Fenianism would have no power, no strength, no success, unless there was discontent, and cause for discontent in Ireland. So the sooner you look to the causes of discontent, and remove them, the sooner do you really grapple with the spirit of Fenianism in Ireland. I have an intimate acquaintance with the state of feeling in the city and county of Cork, and with the neighbouring counties; and, while I am far from saying that the organization is mighty or powerful, or that any vast number are engaged in it, or are sworn members of the body, still, if I am asked whether there is a sympathy with the Fenian movement, I must confidently assert that there is scarcely an artizan, a labourer, or small farmer, or a small struggling shopkeeper who has not a kind of sympathy, more or less strong, in its favour. Those who are largely engaged in trade and commerce, or who are specially injured by the effects or influence of the movement, are naturally at the side of the Government; but the mass of the people feel a strong sympathy with the movement. And this is a just cause for anxiety, and even alarm. It is stated in the Royal Speech that Fenianism is opposed to religion, and is condemned by all who are interested in its maintenance; but it is unhappily true that amongst those who sympathize with the movement are many of the best and purest of the population. ["No, no!"] I know positively the truth of what I state. Is morality to be judged of by the cut of a man's coat, or the fineness of his cloth? I speak of men who lead blameless lives, who are good fathers and good christians. You say there is an absence of ordinary crime in Ireland—that the people are good and moral. Then, I say, that good and poor men sympathize with, though they do not join the movement; for it is true beyond all doubt that the mass of the people feel that sympathy. The reason why this is so is obvious. It arises from the idea which too fatally prevails in Ireland—that constitutional agitation and Parliamentary action are useless for the redress of admitted grievances. I neither sympathize with the movement, nor do I believe that constitutional means and Parliamentary action will be without avail; but I admit and deplore the existence of this sympathy and of this belief. Sir, this is a new Parliament, to which the country has sent 200 new Members; and it is necessary that Irish Members should draw the attention of the Government and Parliament to the state of their country. I call on the Government to send a message of peace to Ireland. But let it be no hollow truce, but real and permanent peace. The Government are strong enough to punish and suppress; but what is necessary is to eradicate the causes that lead to these periodical manifestations of deep-lying discontent. I admit that the law has been fairly administered by the Judges, and that, on the part of the Crown, there was an entire absence of that bitterness and malignity which disgraced Crown prosecutions in past times, not only in Ireland, but in this country. The blot on the Commission was the jury panel of the county of Cork; but the fault was owing, not to the Crown, but to the indiscretion or want of wisdom of an official who did not fitly appreciate the importance of the occasion, and the responsibility of his office; but while I object to that panel, I cannot deny that the juries decided fairly, and in accordance with the evidence. The Government are strong enough to meet the conspiracy, and to punish the conspirators; but, Sir, I want the Government to destroy the trade of the conspirators by putting an end to the causes of disaffection. I wish to see the two countries strong and united—strong because of union; but it is the idlest of all mockeries to assert or suppose it possible that there can exist a feeling of cordial union with England on the part of the Irish people, unless both countries are dealt with on one common basis of equal justice. Let the Government and people of this country deal with Ireland with justice and with wisdom; and then it will not be the terrors of the law that will crush Fenianism, but the all-pervading consciousness that the people of Ireland are really about to be taken into the bosom of this great Empire, and to be dealt with upon the same principles of justice.

Lord NAAS: No one, I am sure, will find fault with the tone and temper of the hon. Gentleman who has just addressed the House (Mr. Maguire); and if I differ from some of the conclusions at which he has arrived, I trust he will give me credit for taking as deep an interest as he does in the welfare of our common country. I wish, upon this occasion, to confine my observations—and they shall not be many—to one point, and to one point only. I wish to impress upon the House my firm opinion that those questions which have been referred to by the hon. Member for Tralee, and by many of the speakers this evening, as the foundation of the Fenian movement, are not the real causes of that unfortunate state of things which now prevails in Ireland. A new and disastrous state of things has arisen. I listened to the debate with considerable interest; and on seeing the Amendment proposed by the hon. Member for Tralee, I thought that he might introduce into the debate something which would go to show that the action of the Legislature and misgovernment on the part of this country had been the cause of this state of affairs. But I will appeal to every Member who has carefully attended to the discussion whether that position which was at first broadly laid down by the hon. Gentleman was maintained in argument. I believe that the causes of the Fenian movement, whatever they may be, do not lie here, but lie principally in a country over which we have no control. My belief is that this conspiracy did not originate in Ireland, and is not maintained by any causes that exist in Ireland. I believe it was created and is maintained by influences that arose in a foreign country, and is supported by money which does not come from the people of Ireland, and by men who are not subjects of Her Majesty. I have no hesitation in saying that the Fenian organization has been devised and carried on in America, and by men who have not the interests of Ireland at heart, but who are, I am sorry to say, citizens of that great Republic which contains within its dominions some of the bitterest enemies of England. What are the Irish grievances mentioned to-night? Are they new? The hon. Member for Tralee referred to subjects which, on many former occasions, were pressed upon the notice of this House. The condition of the Irish Church has been put forward as a cause of the Fenian movement; but how can it be imagined that the position or existence of the Church in Ireland has any interest for men who denounce all religions, and who have issued the most scurrilous and virulent attacks on the ministers of the very faith which they themselves pretend to profess? Or can it be imagined that the laws which regulate the tenure of property in Ireland have any influence on the leaders of a movement, whose leaders emphatically declare that their object is not to obtain compensation for tenants, or to improve the condition of the occupiers of the soil, but to sweep away the present owners of landed property and to distribute the spoil among the fortunate soldiers of the Irish republic? ["Oh!"] Ample evidence has been adduced that this is the object of the chiefs of the conspiracy—I hold ample proofs in my hand—but that evidence has been so often referred to by the learned gentlemen who represented the Crown upon the recent trials, that I need not take up the time of the House by referring to it. It has been laid down over and over again by these men that their object is not to alter or re-construct the law of landlord and tenant in Ireland, but to distribute the land, not among those who now occupied it, but among those who joined their conspiracy. It may be true—and I own that I, for one, participate in those views—that there are matters connected with the administration of the Executive in Ireland which might be improved, as they in some degree prevent Irish interests from receiving their due weight in the Councils of the United Kingdom. I have long held the opinion that Ireland would be benefited if the Chief Minister for that country always had a seat in the Cabinet, and was always either in that or the other House of Parliament, to defend and explain the acts of the Executive. But can it be thought for a moment that a change like that occupied the minds of these men, or that the interests of the Queen's Government was considered by those who aimed at sweeping her authority from the face of the land in order to establish on its ruins a socialistic Republic? I believe that questions, so often discussed and sometimes decided by this House, have nothing whatever to do with Fenianism in Ireland. The questions of tenants' compensation and tenant-right, which have been referred to, have been debated here, and in the most deliberate manner, for the last twenty years. Every successive Government has attempted to deal with it, but without success; because every statesman who has given his attention to the subject found it impossible to reconcile the pretensions of those who professed to represent the interests of the tenant with the rights of property and the legitimate interests of the landlord. That is the reason why the question has remained unsettled; and I believe it will long remain so, at least in the sense so often enunciated in that House. But if, as the hon. Gentleman has stated, that question really lies at the root of the evils of Ireland, and is therefore the cause of the Fenian movement, how comes it that that movement has gained so little ground among the agricultural population of Ireland? There is not one considerable farmer in the country who has been proved to be connected with it. The Fenian movement is supported principally by the inhabitants of towns, who have never cultivated a rood of ground in their lives. I therefore repudiate the statement of the hon. Member for Cork (Mr. Maguire) that the tenant question is at the root of the Fenian movement. I believe that no honest or impartial man who has studied Ireland, no foreigner who might be called upon to express an impartial opinion, if he examined the course of Parliamentary Government adopted during the last forty years, would be able to discover proof of any indifference to Irish interests, or any disregard of the wants of the Irish people. From my own experience—and I have sat in that House now for some considerable time—I must say I have never known an Irish question to be brought forward—as has been the case that night—with great ability, great earnestness, and great courage—without its receiving fair and ample discussion. Argument has been met by argument; and if those who agitated these subjects have not succeeded in persuading the House to adopt their views, it was not because there has been any unwillingness to consider them. On the contrary, the House had always felt Irish questions to be a great difficulty, and has always approached them with an earnest desire to settle them. Had not the representatives of Ireland themselves a voice here? True, they are only 105 compared with 500 English and Scotch Members; but is that the right way to look at the balance of the representation in this House? We know how equally parties are divided, and how often a few votes determined the fate of a Government. We have seen many crises in which Irish questions were made of the greatest possible importance, and how the votes of a small portion of the Irish representatives could control the action of the Cabinet. We cannot, therefore, draw the conclusion that measures for the good of Ireland will not be passed in this House because the Irish Members are powerless by reason of their minority. I admit that there is much in the past government of Ireland to regret. I believe that for centuries she was the worst governed country in Europe. But, at the same time, I believe that England has now for many years been doing everything in her power to atone for past errors and correct past mistakes. When people talk of English laws standing in the way of Irish progress, I want to know whether there is anything in the nature of Ireland so totally different from the nature of England that the same laws should be so poisonous and destructive in the one country and so salutary and beneficial in the other? The same laws affecting the tenure of landed property exist in Ireland as in England, and we have seen under those laws a greater amount of agricultural prosperity developed than had been witnessed in any other country. We have seen the same laws affecting trade and manufactures in Ireland as in England, and why is not the same effect visible in the former as in the latter? I may briefly recall what had been done by Parliament for Ireland during the last forty years. Within that period, those of the people who professed the Roman Catholic religion have been admitted to a full participation in all the civil rights enjoyed by the rest of their fellow subjects. The other important measures which have followed evinced a desire on the part of Parliament to extend every benefit in its power to that country. A system of education has been established which gives gratuitous instruction to upwards of 200,000 children; and the annual grants amount to no less than £250,000. Other sums are yearly voted for the education of the Roman Catholic priesthood, and that establishment has been placed on such a footing that its endowment is now made a permanent law fo the country. A Poor Law has been enacted under which the property of the country last year was called upon to pay £750,000, administering relief to 300,000 persons. Again, in the years of famine, when a disaster greater, perhaps, than ever came on any country befell Ireland, was not money given freely, and with a lavish hand, to sustain life out of the Imperial exchequer? and although through maladministration there was considerable waste of these funds, yet at least no indisposition to minister generously to the sore necessity of Ireland can be fairly charged against this House. Indeed, it is, I believe, impossible for any man to get up and prove that any proposal shown by sound argument to be for the real good of Ireland has been rejected in this Assembly. And, therefore, I cannot refrain from taking this opportunity to protest against and repudiate the doctrine that bad laws or misgovernment have produced this treasonable movement. Justice, I maintain, is fairly administered in Ireland, as even these recent trials themselves suffice to show. The representation of that country, also, is on as fair a basis as that of the rest of the United Kingdom. I appeal to the Roman Catholic Members of this House whether there is any legislative body in any first-class European State in which greater freedom of debate is enjoyed? Ought we not, then, to be careful not to give the least sanction or support to this conspiracy by declaring that it has any excuse or origin in the action of Parliament? I will not weary the House by attempting to demonstrate the absurdity and futility of the objects of the Fenian conspiracy; but I may remind them that there exists in Ireland a large party, comprising men of all religious denominations, whose loyalty and determination to maintain the authority of the Queen are second to those of no class in the United Kingdom. I do not exaggerate the character of these classes when I say that they include every man of property and intelligence in the country, and all the ministers of every creed. Nor do I believe it possible to find outside of those classes one man who really, conscientiously, and openly has given his adhesion or sympathy to Fenianism, whose opinion is worth having, or whose character is in any way entitled to weight with his countrymen. Therefore, though this Fenian conspiracy may be inconvenient and most disastrous even for a considerable time to the interests of Ireland, it is manifestly utterly futile and absurd. I by no means underrate the mischief which such movements as Fenianism are calculated to effect. I recollect well that when I first entered the House of Commons, in 1847, a somewhat similar state of things existed in Ireland, and that some Members of the House actually did not hesitate openly to profess their sympathy with the seditious proceedings which were then taking place. There is, however, a considerable difference, I am happy to say, between those proceedings and the present, although the spirit which prompted both is no doubt the same. I cannot help expressing my regret that, at the expiration of eighteen years, similar misfortunes have again fallen upon us, and that while progress and civilization are going on around us, a portion of Her Majesty's dominions should be the theatre of a movement which, if successful even for a moment, would have the effect of throwing Ireland back at least fifty years. From the doctrine that bad government or legislation is the cause of that movement I must express my entire dissent. Indeed, my opinion is that those who have taken upon themselves to propagate that view have incurred a grave responsibility, inasmuch as thereby they give a colour to this movement, while they are totally unable to substantiate the correctness of their assertions. I hope we shall hear no more of such doctrines, and I also trust—nay, I am perfectly sure—the House will not, because of recent occurrences in Ireland, feel indisposed to deal with Irish questions in the same spirit of impartiality and fairness which it has for many years shown on these occasions. The various schemes for the benefit of that country which have this evening been suggested are legitimate subjects for the consideration of Parliament; if good in themselves, they will, I have no doubt, be ultimately carried, while, if bad, they will, as it is desirable they should, be rejected.

Sir PATRICK O'BRIEN said, believing that House to be the proper place for expressing his views as a representative of the people, he would not shrink from declaring his opinions upon the question submitted for their just consideration. He should be forgetting his own position if, from any miserable feeling of fear lest he should lose his popularity amongst his constituents, he hesitated to express his opinion of this unhappy and disgraceful Fenian conspiracy. There was not a man of education or position in the country but viewed that movement with horror and reprobation. He represented a county constituency, and it was their opinion, as well as his own, that it was calculated to drive back for years from the country any chances of prosperity which were likely to dawn on it, and in addition to bring ruin upon many innocent people. It was for men like himself, who had always been Liberal, to come forward at such a crisis and express the horror of the whole Liberal party, properly so called, at this ruinous conspiracy. [*Cries of* "Divide!"] He had reason to know that among the names which had been published in connection with the Fenian conspiracy in New York were some of the men he had seen hanging about the lobbies of that House, servilely soliciting the patronage of this very Government they now wished to trample upon. Being unsuccessful they went as adventurers to America, and there contrived to live in luxury by deceiving those multitudes who, like their countrymen here, who possessed the Celtic temperament, were especially liable to be deceived. [*Laughter.*] If hon. Gentlemen lived in the south and west of Ireland they would not laugh. With respect to many questions which had been raised, he would on that occasion—["Divide!"] If the hon. Gentlemen who interrupted him had sat in the House during the last Parliament they would be aware that during the whole six years he had rarely troubled the House; but in obedience to those hon. Members who were no doubt overflowing with maiden eloquence, he would conclude by merely adding his request to that of other hon. Gentlemen that the hon. Member for Tralee (The O'Donoghue) would, instead of substituting the paragraph he had moved for another, append it to the Address. In that case, the hon. Member should have his most hearty support.

Lord CLAUD HAMILTON said, he thought that no one who had read the Amendment offered that night could find anything in its phraseology calculated to excite animosity or opposition. At the moment he heard that an Amendment on Irish subjects was about to be introduced, he went to the hon. Member (The

O'Donoghue) and asked him for a copy of it; and on reading it he must confess that he did not see that there was much in it to which any Irish Member could object. The speech of his hon. Friend, however, was not exactly in keeping with the temperate and moderate words he had proposed; and, therefore, with great respect for the talents, and with high admiration for the eloquence, he had displayed, he could not consent to follow him into the lobby. Every one who had heard the hon. Member must, moreover, regret that one possessing so much ability and kindly feeling should have allowed either his oratory or his imagination to carry him to some of the lengths which he had gone that night. As a county representative of the north of Ireland, and the only one who had as yet spoken in this debate, he entered his protest against the statements made by the hon. Member (The O'Donoghue) with reference to atrocities said to have been committed in the county of Donegal. The hon. Gentleman had adverted to them as if they were admitted facts; but he (Lord Claud Hamilton) undertook to meet him on every point, and show that he had been the victim of the grossest misrepresentation. He did not wish to rest his denial of these statements on his own words, and he would, therefore, read a few lines from the Report of a Committee of the House, which sat on the very subject. Statements had been made of the heartless, cold-blooded conduct of some of the landlords, which it was said had driven the people of Donegal to poverty, desolation, and misery. An impartial Committee, consisting of English, Scotch, and Irish Members, was selected from that House, and they came to the following Resolution upon the evidence placed before them, by the authors of the statements complained of. The Committee found—

> "That this poverty among the people is not attributable to the landlords; that no attempt had been made to drive the tenants from their holdings or to take from them any lands over which they had any real right; and it has been proved to your chairman that the statement in the appeal"

The very document relied upon by the hon. Member and assumed to be correct

> "Which said that 'last year brought a sad change upon this warm-hearted peasantry, all the landlords of those districts save one simultaneously deprived them of the mountains, giving them to Scotch and English graziers as sheep walks, and at the same time doubled and trebled, and in many instances quadrupled, the rents on their miserable holdings,' is totally devoid of foundation."

Yet these very statements, so "totally devoid of foundation," were alluded to to-night, by his hon. Friend, as established facts. He must make one appeal to his hon. Friend the Member for Tralee, and ask him if any English Member got up in that House and ventured to assail his countrymen with language he had himself used, whether he would not, with that gallantry for which he is so eminently conspicuous, vindicate his countrymen against such unworthy and undeserved calumnies? The hon. Gentleman had unfairly assumed that Irish questions were put down by English and Scotch Members. He (Lord Claud Hamilton) had sat in that House for thirty-one years, and he maintained that such a statement was totally devoid of truth, and an unworthy calumny on the Scotch and English Members of that House. He had never known an Irish question, when fairly brought forward and practically debated, not listened to with attention, however much it might interfere with the general business of the country and the convenience of hon. Members, and he expressed his gratitude for the generosity and liberality of the House with regard to Irish subjects. If the hon. Gentleman would only turn his eloquence and talents to a more practical use than he had to-night, he predicted for him a far greater success than he would be likely to meet with on that occasion. The great fault hon. Gentlemen committed was in bringing forward at one time a number of alleged grievances, instead of confining themselves to one subject, and having it fairly and thoroughly discussed. If they would abstain from that, and bring forward what they considered solutions for the difficulties they complained of in the manner he had suggested, he should be able to recognize in it statesmanlike conduct, and his hon. Friends the Members for Tralee and Cork would thus be doing a far greater service to Ireland than by contenting themselves with making discursive speeches which did not suggest any practical solution of the grievances of which they complained. If he felt as strongly on any supposed grievances as his hon. Friends evidently did, from the frequent occasions on which they dilated on them, he should feel it to be his first and most solemn duty to offer suggestions and to bring forward measures which might form a basis on which remedial legislation might proceed. He protested against what had been said with regard to Donegal, and he could, if necessary, show that it was incorrect, but had been got up to excite the feelings of the people. He should support the Address as proposed by Her Majesty's Government.

SIR FREDERICK HEYGATE said, he gave full credit to the Irish Government for the vigour it had shown in the Fenian prosecutions. Praise was due to the Lord Lieutenant especially; and it was gratifying to find that his Excellency was so well supported by the middle classes. In the county which he had the honour to represent, the law was still respected. It was one into which Fenianism had not penetrated to any great extent; but even there the bad effects of the conspiracy were felt. A stop had been put to the establishment of manufactories—capitalists being deterred from embarking their money in a country in which there did not appear to be ordinary security for commercial enterprize. His opinion was that the present was not the time for inquiry into political grievances. When the Fenian conspiracy was put an end to, and when the law was vindicated, then would be the time for an inquiry such as that suggested in the course of this debate. The landlords had been spoken of as if they were indifferent to the state of the country. Holding the stake they did in it, he was at a loss to see how that could be. In the county with which he was connected they had a large measure of tenant-right, and there were no religious feuds, and yet things were not as they ought to be there; he was sorry to say there did not prevail such a spirit of satisfaction as he should like to see. Within the last few years vast numbers of the population of Ireland had emigrated; and it could scarcely be expected that the lower classes, receiving as they did by every post, from their relatives and friends on the other side of the Atlantic, letters speaking of the prosperous condition of the emigrants and containing substantial proof of that prosperity in the shape of remittances, should fail to draw comparisons between their own position and that of Irishmen who had left their own country. Irishmen who came to England or who went to Scotland earned large wages, and those at home asked why it was that in Ireland wages were so small as compared with those paid to their countrymen elsewhere. That was a question which it was difficult to answer without going into political economy; but he believed that much discontent arose from the circumstance which suggested the question. It must be remembered that most of the emigrants were young people, whose labour had been lost to their own country; and he could not but think, therefore, that if the money which had been spent on emigration had been spent on the encouragement of trade and manufactures, a very different result would have followed. It was to the extension of trade and manufactures he looked for an improvement in the condition of Ireland; but, to bring that about, security of property must be a first condition. He, therefore, hoped that to secure this all friends of Ireland would at present apply their exertions. It was not enough when you had to deal with ignorance to make a statement of the hopelessness of insurrection. You must use some argument that would be unmistakably demonstrative. He believed that if 10,000 men could be sent over to Ireland, it would put an end to Fenianism at once. When a feeling of security was restored, he would be ready to vote for an inquiry into the cause of the unfortunate circumstances which had been brought under the notice of the House.

COLONEL VANDELEUR said, he regretted that hon. Members should feel so much interest in making it appear that Ireland was disaffected. Some hon. Gentlemen spoke as if disaffection existed all over three of the Irish provinces. The county of Clare, which he represented, was essentially a Roman Catholic county, and it was not disaffected. He had had conversations with the clergy of both denominations, especially with the Roman Catholic clergy—with shopkeepers, farmers—with all classes, in fact, and the feeling they expressed was one of extreme horror of the conspiracy. The conspiracy was one got up in America in 1857 by Mr. O'Mahony and others, who appeared to think that the whole of Ireland was ready to join them. It was sought to be established in Ireland by American agents; but far from there being anything like a universal feeling of sympathy in Ireland with Fenianism, the farmers in that country feared that if the Fenians came over they would be ejected themselves — that the small holdings of the poor would fare no better than the large ones of the rich. In 1832 and 1834 the division of the land was the object sought to be achieved; and in 1843 and 1844, when immense meetings were held, the people did not assemble for nothing. They took part in the agitation with the idea that when the English were expelled the landed proprietors would be expelled with them, and there would be a division of land. When, in 1848, physical succeeded to moral force, the leading idea still was a re-distribution and apportionment of the estates. In 1860, when a meeting presided over by the hon. Member for Tralee was held in Dublin, for the almost avowed purpose of inviting the French to land in Ireland, the late Mr. William Smith O'Brien wrote to the secretary of the meeting protesting, in the strongest language, against such a proceeding. Ireland had been in a state of agitation for the thirty years before the last two years—there was peace until the Fenian movement reached that country. He trusted that the Fenians would find the English Government was too strong for them. The Motion of the hon. Member for Tralee (The O'Donoghue) was in itself harmless, and it might be useful to institute an inquiry into the alleged grievances of Ireland; but if the Motion were carried, the people of Ireland would think the Fenians were right and had really something to complain of. It had been asserted that Fenianism was caused by the Church Establishment, and the opposition to what was called tenant-right. He did not concur in that view of the matter. The Fenians had nothing to say to the Established Church; and, as to tenant-right, he might remark that it was largely exercised in his county, and, indeed, he knew few landlords who did not allow it. He denied also what the hon. Member for the city of Cork (Mr. Maguire) had stated—namely, that no tenants who had leases had left the country, for he knew several cases of such tenants having gone to America. Neither was it correct to state that the want of work was a reason for their going. He knew of hundreds of men who had been induced to join the Federal army, and who were under engagement to return to Ireland and join the Fenian movement. In his own town twenty young men, apprentices in different establishments, went all together to join the Federal army and several returned to Ireland; but when they heard that the Government were taking strong measures, and that the Commission was issued, they absconded, and no more was seen of them. In Dublin there were hundreds of such fellows lounging about the streets. This state of things was dangerous, but it certainly was not one which would be ameliorated by the Motion brought forward by the hon. Member for Tralee, which he therefore hoped would not receive the sanction of the House.

MR. ESMONDE said, that the discussion had assumed a very wide character, which was not unnatural considering the subject, but he ventured to recall the attention of the House to the proposal immediately before it. A paragraph in the Address treated of the Fenian conspiracy, and the Amendment proposed to be substituted for that paragraph had reference to the alleged causes of the sympathy which we were told, and which he believed, existed to a certain extent in Ireland with that conspiracy. Now, hon. Members who like himself were aware of the existence of those causes, but who, at the same time, were unwilling to give the slightest shadow of a reason for any one to believe that they did not entertain the utmost horror of the conspiracy itself, were placed by the Amendment in a very unpleasant position, for to vote for the omission of the clause would be as distasteful to them as to ignore the causes which led to this sympathy with Fenianism. There was another consideration which also influenced him in this matter, should his hon. Friend press his Motion to a division he would be in a very small minority. Now he feared this might be misunderstood in Ireland, and that the people of that country might, when they saw the body of English Liberals voting in the majority, mistake the significance of the division, and consider, however erroneously, that that party had refused to listen to their claims for redress; and that thus the union, or rather he might say re-union, which he was happy to say was taking place between English and Irish Liberals, might be in some sort endangered, and that good feeling which was growing up between them might run some risk of being impaired. He would, therefore, suggest to his hon. Friend the Member for Tralee, that should he succeed in eliciting from Her Majesty's Government a favourable expression of their views upon the subject of his Amendment, he would have done good service to his country and attained his object; and that he should not, under the circumstances, press it to a division. The Lord Lieutenant and his hon. Friend the Chief Secretary for Ireland at the Lord Mayor's dinner in Dublin the other day, gave utterance to certain sentiments as to the policy of the Government regarding Ireland. Should those sentiments be endorsed by the Government here he thought that might fully satisfy his hon. Friend, as it certainly would him, as to their intentions. He took the liberty of addressing himself more particularly to the leader of the House, and saying that some of his speeches during the last Session had raised hopes in Ireland, and exercised large influence upon the late elections there; and the result was seen in the increased number of Liberals returned to the present Parliament as compared with the last. He begged very respectfully, then, to appeal to the right hon. Gentleman, and to ask him merely to endorse the expressions of two Members of his own Government.

The CHANCELLOR of the EXCHEQUER: Sir, I have been anxious to follow this debate to its close, and to be guided entirely by the convenience of the House, in either confining myself to the single subject which has as yet been introduced into the discussions of this evening, or in addressing myself at once to remarks which any Gentleman might wish to make on any other topic adverted to in the Address. As however, during the whole of the evening, the attention of the House has been confined to a subject well worthy of that attention, I will follow the example of those who have addressed us this evening, and offer a few remarks on the Motion of the hon. Gentleman the Member for Tralee (The O'Donoghue), reserving liberty to myself, if occasion should arise, and if other subjects should subsequently be introduced in the discussion on the entire question, to offer such explanation as may be required on the part of the Government. With respect to the debate of this evening, I cannot but begin by saying that I think those who have watched it through the many hours during which it has continued will agree with me in the belief that Ireland has no cause to be ashamed of the manner in which her case has been stated by her representatives; whether I look to the ability displayed; to the spirit of seriousness and earnestness which marked their speeches; to the strong and unequivocal language which they have held on the subject of the Fenian conspiracy; or last, and not least important, to the determined disposition they have shown to prefer the methods of constitutional action and discussion to other and less legitimate methods of advancing political ends. But, Sir, while acknowledging the ability, and even the spirit, of the hon. Member for Tralee, I must explain why it is impossible for the Government to accede to the Motion which he has made. I take that Motion in the form in which he has himself laid it before the House, as a Motion to omit from our Address a paragraph corresponding with the paragraph in the Speech which related to Fenianism, and to substitute for it the words he has proposed. We are not prepared to part with the paragraph which relates to Fenianism. It has three objects. In the first place it aims at denouncing the conspiracy, which, as we believe, is subversive of all that a civilized community ought to cherish and maintain. I understand and respect the motives of the hon. Member for Cork (Mr. Maguire), when he states that persons of pure and virtuous life are unhappily involved in sympathy with this conspiracy. It is an unhappy truth that, amid the infirmities of human nature, purity of intention is no uniform safeguard against the most serious errors. But we are not here to pass moral judgment upon our countrymen. We are here to denounce a great public evil; and this solemn denunciation which Her Majesty has been advised to utter from the Throne will, I trust, be sustained and re-echoed by the general and, I venture to hope, the unanimous judgment of the House. In the second place, the paragraph states a fact as important as it is gratifying. It is gratifying that this unhappy outbreak has developed in Ireland a public opinion which has sustained and strengthened the arm of law and authority, and has enabled the Government to walk firmly forward in the path of repression without fear without harshness, and without favour. The public opinion to which I refer is happily not dependent upon any one class or any one portion of the Irish people, however important or however powerful; but it represents, as has been truly said in the Speech and in the Address, all who are interested in the maintenance of authority, property, and religion without distinction of creed or sect. The hon. Member for Peterborough (Mr. Whalley), however, in the tranquil period of the evening, uttered a protest against placing upon the same ground the disapprovals which have been emphatically declared by the Roman Catholic clergy, and those which have proceeded from other quarters, and which are entertained in every loyal heart and every enlightened mind. But, Sir, we differ from the hon. Member for Peterborough, as the especial object of this paragraph is to mark the satisfaction with which Her Majesty's

Government has announced, and with which this House receives the announcement, that all who feel an interest in the maintenance of property, authority, and religion, the three great pillars of civilized society, are, upon this occasion, at least, happily united, and determined to maintain the law, and to discountenance and condemn all who rise in opposition to the law. Lastly, Sir, as to the third object of this paragraph, I hope, indeed I feel sure from what I have heard in the course of this debate, that our intention is not disapproved when, in the language which describes the methods in which the law has been vindicated, we have invited the House to join with us, at least by implication, in expressing a general approval of those methods, as having been characterized by fairness as well as firmness. And, although hon. Gentlemen have reserved their judgment—as they had a perfect right to do—respecting the time when the necessity for repression began, still the opinions which have proceeded from every quarter of the House have expressed satisfaction with the conduct of the Executive as advised by the Law Officers of the Crown in Ireland. And here I may be permitted to congratulate the Attorney General for Ireland on the manner and results of the first acts of his official life. We cannot, therefore, willingly at least, part with the paragraph proposed. But let me refer to the paragraph suggested by the hon. Member for Tralee; and I will take it either as in substitution of, or as an addition to, that portion of the Address under discussion. He proposes that we should humbly express our very deep regret to Her Majesty that a wide-spread dissatisfaction exists in Ireland, and that we should humbly represent to Her Majesty that this wide-spread dissatisfaction is the result of causes which it is the duty of Her Majesty's Government to examine into and remove. Now, Sir, in the first place, I doubt the wisdom or necessity of the formal announcement by this House of the statement that a wide-spread dissatisfaction exists in Ireland, which may be liable to much misrepresentation among persons not so well informed as ourselves of the actual state of the country. I further doubt the wisdom of representing that this dissatisfaction, which must be interpreted in the present instance as synonymous with Fenianism, is the result of certain grave causes which it is our duty to remove. My objections are twofold. In the first place, I am far from saying that it intends to state that dissatisfaction is a justification or palliation of Fenianism; but, certainly, the proposed paragraph partakes too much of that character, or, at least, too easily permits that interpretation to be placed upon it. In the second place, I greatly object to stating that the evils of Ireland are the result of causes which it is our duty, thereby implying that it is in our power, to remove. Why, that very flattering and alluring suggestion? But because it is flattering and alluring, I suspect it, and hesitate to adopt it all the more. The evils of Ireland are inveterate. The hon. and gallant Member for Longford in an able speech to-night has well pointed out that, in a country where misgovernment or where oppression has prevailed, you must not expect that by removing the causes you will immediately get rid of the effect. You may withdraw the weapon which has caused the wound, but it does not follow that the process of healing will be immediate. Therefore, Sir, inveterate and complicated as is the great Irish question in all its branches, I hesitate to adopt any words which seem to pledge Parliament to a promise which it would be unable to fulfil. On these grounds, I respectfully object to the Amendment of the hon. Gentleman. But I confess that I think there is a still wider ground for objection. Her Majesty has had before her in this matter the case of a conspiracy subversive of law, order, property, and religion. It is well that Her Majesty, and that this House, when dealing with those who seek amendment of the law, should enter frankly upon the discussion raised; but these are not persons seeking amendment of the law. They are seeking to dismember the British Empire. Now, Sir, it appears to me that the Executive, in the face of a fact like this, had one duty to perform, not its only duty, but certainly its first duty, and one so distinct and important that nothing should be mixed up with the performance of that duty which can possibly be construed into a condition or a restriction. Therefore, I frankly own I am loth to the last degree in dealing with the subject of Fenianism in the Address in answer to the Speech, that we should place in connection with what we say upon that subject any promises of the nature I have described. Such promises may be well enough in their own place, provided they are limited in their terms, that the time be fitting, and that they be not liable to misunderstanding; but I submit that, either as a substitution for or addition to the paragraph in the Address, they would not, if examined in the spirit of political prudence, be pronounced to be either in the right place, or set forth at the right time. I fully understand the anxiety of Irish Members who come to us and say that in looking at an evil so portentous as Fenianism you must not be content with that view. But, Sir, having said that, and having strongly and clearly, or at least as strongly and clearly as I can, asserted our duty of confining ourselves in the Address we propose to present, to the denunciation of this great and monstrous evil, I fully understand the anxiety of Irish Members who come to us and say, that in looking at a phenomenon so portentous as Fenianism, you must not be content with that view of it which has exclusive reference to the means of repression. It is invariably true that in such cases as that which we are considering the guilt does not all lie on one side and the reason and right on the other; but that mixed motives and mixed considerations are to be found upon both sides. It may be that we should more properly look not so much for the cause; but, as I once heard it expressed with reference to another great case of discontent—to the causes of that cause—to that which is removed from Fenianism by many links perhaps; and it may be that these causes would form a proper and legitimate subject for the consideration of Parliament. Sir, the representatives of Irish constituencies have not shrunk from stating in this debate the subjects to which they, or some of them, think it right that the attention of Parliament should be directed, with a view to improving the state of Ireland. We have heard of the questions of the University, of National Education, of the Established Church, of the reclamation of waste land, of the tax on absentees, of tenant-right, of loans, of railways, and of general measures for promoting the material prosperity of Ireland. The noble Lord the Member for Cockermouth (Lord Naas) has given a fair description of these subjects. Taken in the mass, he says they are fair questions for the consideration of Parliament. I suppose he does not mean to pledge himself by any means to the practicable character of each and all of those subjects. It would be impossible for Parliament to venture upon making promises with regard to them. Vague promises, general comprehensive and sweeping promises, would result in infinite difficulty, especially when addressed to people whose minds are yet sore and sensitive with the recollection of former wrongs. They would, moreover, create little confidence, convey little comfort, and only tend to bring into difficulty and to hamper the body by which they were made. Now, Sir, what I submit is this. There are some of these questions already in motion; there are others of them which it is the intention, or may be the intention, of Members representing various constituencies to bring under the consideration of the House. Let the Government be judged upon each of these questions as it arises, in the spirit in which it attempts to deal with them. I have been asked whether we approve the language which has been used by the representatives of the Government in Ireland in respect to their general views and principles as to the way in which the administration in that country should be carried on. Not being cognizant of the precise terms of that language, it is impossible to give a categorical reply; but I may say that my noble Friend and my right hon. Friend, who represent the Government in Ireland, have been chosen by Her Majesty to represent it on the ground that the principles on which we know they are prepared to act, and therefore the language in which we should expect them to speak, are the principles and are the language by which we wish ourselves to be represented to the people of Ireland. Sir, our first duty is to condemn the folly, the madness, and the deep guilt of this conspiracy. I respect the sentiment, for I see it to be a sentiment of high honour, which has prevented the hon. Member for Tralee from saying he joins in the emphatic condemnation of Fenianism. I am certain it is not because he does not condemn it; but, at the same time, I feel that the more clear, distinct, and unequivocal our language on the subject is, not only the better do we discharge our duty to the Throne, to the law, and to our constituents, but the greater mercy we show to the deluded persons who are at once the agents and the victims of this conspiracy. But, Sir, having said this, I concur with those who say that the existence, and the emerging from a conspiracy like this, so far from taking away any duty, any obligation of the Legislature and the Government to examine into Irish evils, with a sincere desire to improve the condition of the country, on the contrary, raises that obligation to its highest point. Nor is that merely in deference to the dictates of political expediency, and the obvious necessity of avoiding the mischief consequent upon the existence of such a conspiracy. It is due from us also, in acknowledgment and in gratitude for the strong and genuine Irish sentiment which has been developed upon this painful and critical—but yet, perhaps, in some respects beneficial—occasion, which has given to the law, and to the representatives of the law, a strength such as in that country they never before enjoyed. The noble Lord the Member for Cockermouth (Lord Naas), and other hon. Members, have enumerated the great results which have been attained to Ireland, by Irish Members making their appeal on the subject of the welfare of their country to the Imperial Parliament. If those great works of improvement which have been already performed have now re-acted beneficially upon Ireland in such a way as to marshal on our side more than ever before was known all the best sentiment, conviction, and intelligence of the country, that I say is at once the greatest of all encouragements, and the highest of all obligations, to lead us to persevere in the carrying forward of such works. Sir, for my own part, I can only beg to say that which I have often presumed to say in this House. We are an united people, with a common Government, and a complete political incorporation. But we are also an united kingdom made up of three nations, of three countries welded politically into one, but necessarily and in fact with many distinctions of law, of usage, of character, of history, and of religion. In circumstances such as these there are common questions which must be administered upon principles common to the whole Empire—all those questions in which the interests of the whole overbear and swallow up the interests of the part. The composition of the Government must be determined, not by domicile or birthplace, but by the competence of those who are chosen to fill offices of State. The levying of taxes and the administration of the public revenue must, it is obvious, be governed by principles applicable to the three kingdoms alike—alike as a general rule, subject, possibly, in certain cases, to exception. But, if there be exceptions, they should be well defined as exceptions, they should be thoroughly understood by the three kingdoms as exceptions; and, above all, if there are exceptions made in behalf of one particular country, they should not be made in favour of class, party, or place in that country, but to the whole of that country alike. But, Sir, there are many other questions in regard to which, in England, in Scotland, in Ireland, that interest which is English, Scotch, or Irish respectively predominates over that which is common. Those are the questions which, when they relate to Ireland, I apprehend we ought commonly to call Irish questions. With respect to all the questions that fall into that category, we ought of course to apply to Ireland the same principles on which we act in the other countries, not making the opinion of the one country overrule the opinions and settle the questions belonging to the others, but dealing with the subjects and the interests of each as nearly as we can in accordance with the views and sentiments of the natives of that country. Sir, I hope, therefore, that while this House will avoid giving forth to the world vague promises capable of misapprehension, I also hope that as each subject connected with the condition of Ireland comes before us, we shall be able to treat it, if it be specifically Irish, with a special view to Irish objects and interests. I say this whether the questions may lie in the sphere especially of the mind and the feelings of men, as do those connected with education and religion, or whether they may refer to political arrangements or social arrangements; or whether they may refer to that other class of subjects well worthy, indeed, of the attention of Parliament which are connected with the material prosperity of Ireland. And I frankly own I cling to the hope, though quite unable to define the precise extent or even the precise manner in which Parliament may be able to realize that hope, that it may be possible for England to do hereafter that which she has often done before, to assist with a liberal hand, perhaps, under improved circumstances, and with views matured by experience, to promote the development of that material prosperity. It is in that way we can best hope to attain the object well described by the hon. Member for Cork (Mr. Maguire) to-night, when he said that it is our duty to destroy the trade of the conspirator. It is our duty to restrain and to repress his acts, strongly to denounce them in their character and their tendency; but it is our duty above all, if we can, to destroy his trade, pursuing that system of practical legislation by which, as has been observed, so much progress has already been made rallying on the side of the law and the Government all the best sentiments and feelings of the country, by which we hope to contribute alike to its welfare, and to the credit, and the honour, and the dignity of the British Empire.

THE O'DONOGHUE said, he had been urged by many of his hon. Friends to withdraw the Amendment, and to add the words to, instead of substituting them for, the paragraph in the Address. He wished, therefore, to withdraw the Amendment.

MR. SPEAKER said, that the Amendment was in possession of the House, and that it was for the House to decide whether they would grant permission to the hon. Gentleman to make the change he proposed.

Amendment, by leave, *withdrawn.*

Amendment proposed,

To add, at the end of the same paragraph, the words "Humbly to express our deep regret to Her Majesty that wide-spread disaffection exists in Ireland, and humbly to represent to Her Majesty that this wide-spread disaffection is the result of grave causes, which it is the duty of Her Majesty's Ministers to examine into and remove."—(*The O'Donoghue.*)

Question put, "That those words be there added."

The House *divided :*—Ayes 25; Noes 346: Majority 321.

SIR JOHN PAKINGTON rose to move the adjournment of the debate. Although it had occupied the unusual period of two nights, the House had only touched upon two subjects; but there was a question more important than either of them which had not yet been referred to—namely, the subject of Parliamentary Reform, concerning which they had had no information from Her Majesty's Government. He therefore thought it desirable they should adjourn the debate until to-morrow night.

Motion made, and Question proposed, "That the Debate be now adjourned."

THE CHANCELLOR OF THE EXCHEQUER said, the Government had no desire to avoid discussion upon all the points of the Speech; but they stood in a peculiar position. His right hon. Friend (Sir George Grey) had given notice of a Bill upon the subject of the cattle plague for Monday, and another hon. Member (Mr. Hunt) had likewise expressed his intention of raising the same question. It was exceedingly desirable that the House should not run any risk of the postponement of that subject; but as the Report of the Address must be brought up the day after the debate was concluded, there would be no security against the cattle plague question being thrown over if the present debate were adjourned. Upon that ground he would suggest that the Address should be allowed to pass, and then a full opportunity would be afforded to raise discussion upon it on the Report to-morrow (this day).

SIR JOHN PAKINGTON said, that he would assent to that course.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Committee *appointed,* to draw up an Address to be presented to Her Majesty upon the said Resolution;—Lord FREDERICK CAVENDISH, Mr. GRAHAM, Mr. CHANCELLOR of the EXCHEQUER, Sir GEORGE GREY, Mr. SECRETARY CARDWELL, Sir CHARLES WOOD, Mr. MILNER GIBSON, Mr. VILLIERS, Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, Mr. ATTORNEY GENERAL for IRELAND, The LORD ADVOCATE, and Mr. CHILDERS, or any Three of them:—To withdraw immediately:—Queen's Speech *referred.*

NATIONAL DEBTS ACTS.

RESOLUTIONS IN COMMITTEE.

THE CHANCELLOR OF THE EXCHEQUER said, he moved that the Speaker leave the Chair, in order that he might submit to the House preliminary Resolutions for bringing in two Bills founded on principles which had obtained universal approval. The first of them aimed at the extinction of two small funds which belonged to the old Sinking Fund, which was cancelled by Parliament forty years ago. The other fund arose from the interest on unclaimed stock and unappropriated dividends. He also proposed, in connection with the Post Office savings banks, to pass a Resolution for the confirmation of permanent annuities, according to a plan peculiarly accepted by Parliament, at first in a formal manner, and which had the effect of contributing to defray the charges of the National Debt by a sum which exceeded £100,000 a year. By this means it was proposed to create £5,000,000 of stock, and the plan would operate advantageously on the annual charges of the country, and that was an operation to be extended as much as circumstances would permit.

Motion *agreed to.*

Acts *considered* in Committee.

(In the Committee.)

Resolved, That it is expedient to amend the Laws relating to unclaimed Stock and Dividends and to Donations and Bequests, and to grant powers for cancelling certain perpetual Stocks of Annuities standing in the names of the Commissioners for the Reduction of the National Debt on account of unclaimed Stock and of Donations and Bequests; and to make provision, out of the Consolidated Fund, for any charge which shall arise in consequence of the said unclaimed Stock having been so cancelled.

Resolution to be reported *To-morrow.*

Resolved, That it is expedient to amend the Laws relating to the investments for Savings Banks and for Post Office Savings Banks, and to grant powers for the conversion of certain perpetual Government Annuities standing in the names of the Commissioners for the Reduction of the National Debt on account of the Fund for the Banks for Savings, and also on account of the Post Office Savings Bank Fund, into certain other Stocks and Annuities; and to provide for due payment thereof out of the Consolidated Fund.

Resolution to be reported *To-morrow.*

EXCHEQUER AND AUDIT DEPARTMENTS.

BILL PRESENTED. FIRST READING

THE CHANCELLOR OF THE EXCHEQUER presented a Bill to consolidate the duties of the Exchequer and Audit Departments, to regulate the receipt, custody, and issue of public monies, and to provide for the audit of the accounts thereof. He said, the course he proposed to take with regard to the Bill was to introduce it that night, and in consideration of its importance to allow a fortnight to elapse before he moved the second reading. He should next propose to refer it to the Select Committee on Public Accounts; and, as it was a Bill almost entirely relating to public accounts, it would receive a more impartial, authoritative, and searching examination before that Committee than it would in any other way. The object of the Bill was, first of all, to consolidate the departments of Exchequer and Audit, while the personal functions of the Controller of the Exchequer would not be interfered with. The next object of the Bill was to apply to what was called the Exchequer check the principles of modifications recommended by the very important Committee on Public Monies which sat some years ago, so as to preserve the constitutional form of the Exchequer check, but to introduce harmony into all proceedings subsequent to that operation so as to get rid of a great deal of unnecessary and expensive book-keeping now carried on. The third and most important object was this. During the discussion which arose last year out of Mr. Edmunds' case, it became known to Parliament much more fully than had formerly been the case, that there were many branches of public receipt and expenditure that were not subjected to audit, and that the whole system of audit was in a most unsatisfactory state. Some of the expenditure was audited by the Audit Board, which was quite right; some of it by the Treasury, which was quite wrong, for the Treasury was a department for controlling, and not auditing, the expenditure; and, lastly, a good deal of it was not audited at all. The Government proposed to substitute for that threefold irregular and anomalous method of proceeding an uniform method, by which the whole of the expenditure should be audited by the proper department appointed for the purpose—namely, the Audit Board. The appropriation audit would therefore be carried throughout the whole of the public expenditure.

MR. BOUVERIE said, that the system of audit had hitherto not been satisfactory. The ancient system had become obsolete, and lately had, in fact, been no check at all. Under these circumstances, he believed that the Bill now introduced would effect a very great improvement.

Motion *agreed to.*

Bill to consolidate the duties of the Exchequer and Audit Departments, to regulate the receipt, custody, and issue of Public Monies, and to provide for the audit of the accounts thereof, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER and Mr. CHILDERS.

Bill *presented,* and read the first time. [Bill 3.]

QUALIFICATION FOR OFFICES ABOLITION.

RESOLUTION IN COMMITTEE. FIRST READING.

Qualification for Offices Abolition—*Considered* in Committee.

(In the Committee.)

Moved, That the Chairman be directed to move the House that leave be given to bring in a Bill to render it unnecessary to make and subscribe certain declarations as a Qualification for Offices and Employments; to indemnify such persons as have omitted to qualify themselves for Office and Employment; and for other purposes relating thereto.—(*Mr. Hadfield.*)

Mr. NEWDEGATE said, he must express his regret that the hon. Member for Sheffield thought it necessary to moot this question again; but he hoped the hon. Member, as he proposed the Bill in his capacity as an independent Member, would name the second reading for a Wednesday. When the second reading came on he should move that it be read a second time that day six months. The Bill had been several times rejected by the House of Lords, and carried in that House by very small majorities.

Mr. HADFIELD said, he must remind the hon. Member that he had been invited to serve on the Select Committee to which the previous Bill had been referred, and that he had declined. The principle of the Bill had already been six times assented to by the House, and sought merely to repeal a qualification which had never been enforced. A noble Earl in another place (the Earl of Derby), had declared that the declaration, which had never been enforced for thirty-eight years, was not worth the paper on which it was written. He (Mr. Hadfield) was averse to having the second reading for a Wednesday, as he desired the Members of the Government to be present.

Mr. NEWDEGATE said, that he had declined to act on the Committee, because he felt confident that it would find that which they did find—namely, that the Bill consisted entirely of principle, and that, with effect, they could not alter one word of the Bill. The explanation as to the majority on the previous Bill lay in the fact that the measure was brought on for third reading at so late an hour that its opponents were taken by surprise.

Motion *agreed to.*

Resolution *reported.*

Bill *ordered* to be brought in by Mr. Hadfield, Sir Morton Peto, and Mr. Baines.

Bill *presented,* and read the first time. [Bill 1.]

RAILWAY TRAVELLING IN IRELAND BILL.

On Motion of Sir Colman O'Loghlen, Bill further to secure to the Public the means of travelling by Railway in Ireland, *ordered* to be brought in by Sir Colman O'Loghlen, Major Gavin, and Captain Stacpoole.

Bill *presented,* and read the first time. [Bill 2.]

PRINTING.

Select Committee *appointed,* to "assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. Bonham-Carter, Sir John Pakington, Mr. Walpole, Mr. Henley, Mr. Secretary Cardwell, Mr. Gaskell, Sir Stafford Northcote, The O'Conor Don, Mr. Hastings Russell, and Mr. Childers:—Three to be the quorum.

REIGATE ELECTION.

Petition of Electors, complaining of that Election [App. 8]; referred to the General Committee of Elections, and Mr. Speaker to issue his Warrants for persons, papers, and records.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, February 9, 1866.

MINUTES.]—Several Lords took the Oath.

ROLL OF THE LORDS.

The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had prepared and laid it on the Table.

The same was Ordered to be *printed.* (No. 3.)

HER MAJESTY'S ANSWER TO THE ADDRESS.

HER MAJESTY'S Answer to the Address, *reported* as follows:—

"*My Lords,*

"I thank you for your loyal and dutiful Address, and for the renewed Assurance of your affectionate Interest in every Event which tends to increase the domestic Happiness of Myself and My Family.

"I feel confident that the various Measures, which will be submitted to you, to improve the Law and promote the Welfare of My People, will receive your earnest and careful Consideration."

IRELAND—PAY OF THE CONSTABULARY.—QUESTION.

In reply to a Question of The Earl of Leitrim,

Earl RUSSELL said, that there had been no Royal Commission inquiring into the subject of the Irish police; but, as a question was raised a short time ago with reference to the pay and emoluments of the police in Ireland, an official inquiry had been instituted, with directions to report what means, if any, could be devised for the greater efficiency of the police.

THE EARL OF LEITRIM asked if the noble Earl would have any objection to lay the papers relating to the inquiry before their Lordships?

EARL RUSSELL said, he could not undertake to produce the documents relating to the inquiry, inasmuch as they were of a confidential character; but the results of the inquiry would be laid before Parliament.

THE CATTLE PLAGUE.—QUESTION.

THE EARL OF GRANARD asked, Whether it is the intention of the Government to introduce the Bill carrying out the recommendations of the Dublin Commission, respecting measures for the prevention or localization of the cattle plague, or at least so much of them as had not already been embodied in the Orders of Council? The recommendations to which he referred were as follows:—

> "That the owners of cattle should, in an infected district, be compensated out of an union poor rate of the union in which the infected district was situate, compensation in no case to exceed two-thirds of the value of the animal, or to amount to more than £12; that when that rate exceeded 6*d.* in the pound on the valuation of the union in such cases the Government should sanction a rate-in-aid to be charged equally on all the Unions in Ireland. That the constabulary should make a census of the cattle in each union, and that claims for compensation should be determined by the justices at petty sessions, upon whose certificate the clerk of the union would be empowered to pay the amount of compensation allowed at such sessions."

These recommendations, he believed, had met with general approval in Ireland, and not only required no interference on the part of the central authorities but could be put in force by means of machinery which was already in existence.

EARL GRANVILLE said, that the recommendations of the Dublin Commission were already in the hands of the Irish Law Officers, with a view to see how far these recommendations could be made the subject of a Bill.

THE EARL OF MANSFIELD *presented* petitions from the Chamber of Agriculture and Scottish Farmers' Club and others praying that their Lordships

> "Would be pleased, by Act of Parliament, to stop the removal of all cattle from one place in Great Britain to another for a limited time, with the exception perhaps of fat cattle, sent, under stringent regulations, to slaughter—and, in connection therewith, to enact further, that all animals labouring under the disease shall be immediately slaughtered and buried in the skin—the owners thereof being compensated to the extent of one-half the value thereof out of the national purse, or from such other source as the wisdom of Parliament may devise; that all cattle which have come in contact with diseased animals, or which have been in the same enclosure with them, though yet showing no symptoms of the disease, shall also be immediately slaughtered on the premises, the offals to be disinfected and buried, the hides to be disinfected and sold, and the carcases also, when duly certified by the inspector as fit for human food, to be sold for the benefit of the owners—one-half of the loss thereon to the owner, to be compensated, in like manner, out of the public purse, or otherwise as aforesaid; that full advantage be taken of this compulsory stoppage of transit of cattle in order that Parliament may carry out such sanitary measures as shall extinguish effectually all germs of the disease in every district in which it has appeared, so as, if possible, to prevent their development on the removal of the interdict; and in particular, that the whole premises occupied by diseased animals, or by animals which have come in contact, or been in the same enclosure, shed, or byre with diseased animals, shall be thoroughly cleansed and disinfected, and the manure, litter, and fodder, taken therefrom, also disinfected or burnt at the occupiers' expense—that, during the prevalence of the disease, all dogs, not under proper control, shall be liable to be destroyed if found off the owner's premises; that all local authorities shall see the provisions of the Act observed, and the penalties for the infringement thereof strictly enforced, and that every person offending against such enactments shall, for every offence, forfeit a sum not exceeding £20, which the Judge, before whom such person shall be convicted of such offence, may determine."

VISCOUNT SIDMOUTH said, that there had been a correspondence at the Foreign Office with respect to the system employed by two Belgian practitioners for the cure of the cattle plague, and inquired if the Government would lay that correspondence on the table.

EARL GRANVILLE said, he had not had time to read all the correspondence, but he believed there was no objection to lay it on the table. With regard to those practitioners, they refused to appear before the Royal Commissioners, and the homœopathic treatment having been tried in this country, and having been found to be no more satisfactory than what had been done by other practitioners, that refusal did not appear to be of much importance.

VISCOUNT SIDMOUTH said, he had been informed by good authority in Brussels that the report disparaging the treatment of the two practitioners to whom he had alluded was drawn up by certain veterinary officers employed by the Belgian Government who were strongly opposed to homœopathy. He regretted, therefore, that Her Majesty's Government had published that report in this country. To say that the treatment pursued in Norfolk was the homœopathic treatment was not correct. The treatment of the plague by the practitioners in Belgium had some of the features of homœopathy, but was quite different from the homœopathic treatment which had been adopted in this country. He thought the Government was wrong in throwing cold water on experiments made with a view to cure this destructive disease.

EARL SPENCER said, he had been mixed up in the matter, and therefore rose to corroborate the statement of the noble Earl the President of the Council, that these gentlemen had refused to be examined before the Royal Commission, although the Commissioners were ready to examine their mode of treatment. He had subsequently received a letter from our Minister at Brussels suggesting that these gentlemen should be again brought over to this country; and his reply was that if they would come over to this country, and would consent to be examined by the Royal Commission, not only would their expenses be paid, but they would be handsomely rewarded for every animal they cured. This offer was declined. He believed that the Dutch Government had expressed an opinion that the treatment adopted in that country was not successful.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.

QUESTION.

LORD CHELMSFORD, in rising to ask the Secretary of State for Foreign Affairs for the latest Information he has received as to the Condition of Consul Cameron and other Persons in Abyssinia; what progress Mr. Rassam has made in his Mission; and whether any and what Efforts have been made in addition to Mr. Rassam's Mission to procure the Liberation of the Prisoners, said: My Lords, I need not apologize for taking so early an opportunity of calling the attention of the noble Earl the Secretary for Foreign Affairs to a subject which should be interesting to every one who has the honour and dignity of his country at heart, and who can feel sympathy for the sufferings of his fellow-creatures. It is now more than two years since a British Consul accredited to the Government of Abyssinia was thrown by the Emperor of Abyssinia into prison, loaded with chains, and subjected to the most cruel treatment. This long interval of his imprisonment has been filled up by a sad event, the death of his mother, which was greatly hastened by her grief and anxiety as to the fate of her son. My Lords, there was a time when the mere statement of such an indignity being offered to one in our Consular service would have roused the indignation of the people throughout the country; but it appears we are learning gradually to bear these outrages on our fellow-countrymen, in foreign countries, with patience and submission. The first occasion on which this subject was called to my notice was in the beginning of last year, when some friends of the Consul applied to me to bring the matter before this House, stating their opinion to be that the original imprisonment of their relation was entirely attributable to the fault of the Foreign Office, and that the prolongation of his sufferings was to be ascribed to the injudicious course afterwards adopted by that office. My Lords, I was reluctant for some time to bring forward such a charge, as I felt it impossible for me to do so without first obtaining all the information that could be desired from the papers in the hands of Government. I therefore applied to the noble Earl at the head of the Government, who was then the Secretary of State for Foreign Affairs, to know whether he would grant me these papers, and I must say that the noble Earl then endeavoured, in every possible way, to deter me from bringing the matter forward. He warned me that if I attempted to agitate the question I should be answerable for the increased sufferings to which the unfortunate captives might be subjected. My Lords, with this heavy responsibility thrown upon me, I felt it to be my duty carefully to select such papers as would furnish me with all the necessary information, but which, at the same time, could not contain anything that could prejudicially affect Mr. Cameron. My Lords, the noble Earl, to my great surprise, still refused to grant me those papers without the consent of the House, and I was therefore compelled to trouble your Lordships with a Motion on the subject. Upon the discussion which took place upon that Motion, the noble Earl repeated his assertions that my interference in the matter, and my application for these documents, were calculated to increase the sufferings which had been inflicted upon these unhappy prisoners. My Lords, I entreated the noble Earl to tell me which of all the papers I had specified would be productive of that effect, and I received from him a most singular answer—namely, that he did not say that the production of any one of the papers would be likely to aggravate the sufferings of the prisoners, but that the production of all of them, taken together, and the comments likely to be made upon them in the newspapers would have that effect. The noble Earl resisted to the last my application for these documents; I was compelled to divide the House on the question for their production, and by a bare majority I succeeded in obtaining them. I examined the papers carefully, and I am of opinion that they fully justify the friends of the Consul in the opinion that his original imprisonment was attributable mainly to the fault of the Foreign Office, and that they had taken a most injudicious course to obtain his release. I therefore felt it my duty to bring the question before the House. On that occasion the noble Earl said that

> "I had then, as on a former occasion, shown myself entirely regardless of the safety of Consul Cameron and the other persons imprisoned by the Emperor of Abyssinia if I could only throw blame on the Government."

My Lords, this is a very serious charge, and I trust the House will believe me when I utterly deny that there is the slightest foundation for it. I felt for the unhappy captives most deeply. Indeed, it was impossible that anybody could receive the statement of what these prisoners had to endure with the indifference imputed to me by the noble Earl; and, considering that the relations of the Consul felt they had a right to complain of the conduct of the Government, a complaint which I thought was justified by the papers before me, I saw no reason why I should shrink from the duty I had undertaken of calling your Lordships' attention to them. I think upon that occasion the noble Earl might have been better employed in showing that the judgment I had formed on these papers was not well-founded than in attributing motives to me, of which, if they had existed, he must have been entirely ignorant. I shall not, on the present occasion, trouble your Lordships with a repetition of the sad history of the sufferings of these unfortunate prisoners, but will confine myself to the proof, as it appears to me, that all which has happened to them is to be ascribed, shall I say to the neglect or want of judgment—I know not how to characterize it—of the Foreign Office; and that having been the original cause of those sufferings, the course taken is one which has proved, as might have been expected, an utter failure. When speaking of the Foreign Office your Lordships will understand that the noble Earl now Secretary of State for Foreign Affairs (the Earl of Clarendon) is not answerable for any of these transactions. When they occurred the noble Earl was, I believe, not even a Member of the Government; he has only held the seals of the Foreign Office for a very short time. As I have always said, the whole of the misery which these prisoners have so long suffered, and which they are now suffering, is attributable to the fact of the Foreign Office having neglected to answer a letter which was sent by the Emperor of Abyssinia to this country, requesting that there might be mutual embassies between the two countries upon the footing of the Treaty of 1849, which was ratified and laid before Parliament. Consul Cameron in 1863 was upon the very best terms with the Emperor, and the Emperor thought it was a fit occasion to renew a project which he had long in view of cementing the friendly alliance between the two countries, and accordingly he sent the letter to the Queen to which I have already alluded, and which arrived in this country in February, 1863. That letter was unnoticed until the month of June, 1864—sixteen months afterwards. Upon the occasion of one of the discussions that took place on this unfortunate subject, the noble Earl (Earl Russell) said—may I say in a fit of unwonted candour?—he must admit there was some delay in answering this letter; but when I originally charged this delay upon the noble Earl, he rather smiled at my simplicity in supposing that a letter of that sort could be so easily answered. I will not, though encouraged by the noble Earl, do so much injustice to the united wisdom of the Cabinet as to imagine that a letter of any kind could take sixteen months to consider. I am rather disposed to think that the way in which the affairs of Europe and America were then pressing on the noble Earl occasioned him entirely to overlook a circumstance of such comparative insignificance as the indignities offered to a British Consul by a Sovereign to whom he was accredited. But be that as it may, it unfortunately occurred that the Emperor, about November, 1863, had his feelings strongly excited against two missionaries who were in Abyssinia, and they were imprisoned. I do not mean at all to enter into their case; I shall confine myself entirely to that of the Consul. The Emperor had been in a state of great excitement because the letter he had written a year before had received no attention whatever. He was incensed at the slight and affront offered to him; he let loose his feelings on the Consul, and caused him to be imprisoned. Now, I say, as far as these facts go, that I am entirely warranted in the judgment at which I arrived, carefully weighing and considering all the circumstances, that the original cause of the Consul's imprisonment was the omission to answer the Emperor's letter. But the Foreign Office was aware in the month of June, 1864, of the consequences of this unfortunate omission, and the important practical question now is, in what manner they set about to repair the mischief that had been caused. I have always maintained this—that under the circumstances in which the prisoners were placed, and with the irritated and excited feelings of the Sovereign, it would be necessary that a mission should be despatched from this country, at the head of which an Englishman of some mark should have been placed, and that he should not have gone empty-handed, but charged with presents, the customary mode of approaching Oriental princes. When I suggested this on a former occasion, the noble Earl said that the notion of sending presents to the Abyssinian Sovereign was absurd, and it would only be an inducement to him to believe that the best way of insuring respect and consideration was to imprison a British Consul. I did not think that a very good answer, but I was obliged to accept it at the time. Will it be believed that since it was given the person who has been employed in the mission has been charged with very considerable presents, which he was intrusted to deliver if he were permitted to approach the monarch? Instead of sending a subject of this country at the head of the mission, the Foreign Office, most unfortunately, as I think, selected for this office a Mr. Rassam, who was the Assistant to the Political Agent at Aden—a man I have no doubt of very considerable ability, who had, I believe, assisted Mr. Layard, the Under Secretary for Foreign Affairs, in his interesting excavations at Nineveh; but to whom there was this most decided objection—even if he had ten times his ability and all the diplomatic skill any man ever possessed—he was an Asiatic, and for that very reason just the person who ought not to have been selected. Am I justified in the anticipations I formed at the time, that this was an unfortunate selection? Mr. Rassam arrived at Massowah in August, 1864, and he has never yet been permitted to approach the Emperor. Shortly after his arrival the Emperor, curious to know what sort of mission had been sent from England, despatched two of his subjects to Massowah, to examine and inspect, and there they found Mr. Rassam alone, with no presents. I believe an English medical man had accompanied him, but he had gone on leave of absence, and had left Mr. Rassam alone. The emissaries immediately returned with an account which certainly did not induce the Emperor of Abyssinia to respect the mission. If the Government had been driven to this selection, if there had been no one else to appoint to this mission but Mr. Rassam, of course that would be an answer to all objection; but various applications were made to the Foreign Office for permission to go out on this particular mission. Among others, there was one from a distinguished military officer who had been engaged on very delicate diplomatic missions in the East—Sir William Coghlan. There were also other persons I might mention; but I think it quite sufficient to say that the selection made was not likely to be palatable to the Sovereign of Abyssina, nor to meet with his approbation. The Government, however, persisted in the selection of Mr. Rassam, and the consequence has been the failure of the mission up to this time, and from the last accounts received of the unfortunate prisoners it appears that they were still chained hand and foot. Whether there have been any occasional remissions in the severity of their confinement, I am not aware; but this was the account received respecting them down to so late a date as November last. I wish to know particularly what the Foreign Office has done for the purpose of supplying the deficiencies in the mission which they intrusted to Mr. Rassam. I understand that Mr. Palgrave has been sent out; but by the last accounts from him he had been at Cairo on six weeks' leave of absence, being satisfied that his services were not required to assist Mr. Rassam. With respect to Mr. Rassam, he has applied to the Emperor for a safe conduct, which he had not yet obtained. The Emperor of Abyssinia had gone on an expedition against rebels; therefore, many weeks or months must elapse before the safe conduct could be used, if ever it were sent at all. Now, I trust I have fairly stated the grounds on which I feel the deepest interest relative to this matter. I am most anxious to know what are the latest accounts relative to the condition of these unfortunate captives—for Consul Cameron is not the only captive—and whether Mr. Rassam has made any and what progress in his mission? I wish also more particularly to know whether any further effort has been made, beyond the mission of Mr. Rassam, from which we may indulge a hope of the liberation of these unfortunate prisoners at no distant day?

THE EARL OF CLARENDON: My Lords, I felt no surprise whatever that the noble and learned Lord, after the deep interest he has taken in the fate of these unfortunate men, should have, on the very first day of the Session, given notice of his desire to receive full information respecting the condition of these unfortunate men. He says very justly that the deep interest he feels is shared by a great many persons —we are all concerned for what has taken place; but I cannot help regretting the acrimony of the noble and learned Lord's tone, which I think uncalled for, and calculated to effect no benefit. The fact is, that up to this moment we do not know the real cause of Consul Cameron's detention. The noble Lord said it was on account of a letter not being answered in proper time, and we know that Captain Cameron has said that until the letter has received a civil answer he will not be liberated; and we know also that the missionaries and others have said that the cause of his detention is an alteration in the policy of this country towards Abyssinia. Now, though I admit there may have been delay on the part of the Foreign Office in answering the letter, the fact is that no great importance was attached to the letter, because the only essential part of it had been already answered by my noble Friend behind me (Earl Russell), who said that, before the Government could agree to certain things desired by the Emperor of Abyssinia, he must desist from the scheme of conquering provinces, and must ratify the treaty agreed to by his predecessor. The Emperor's answer was that he would not give up his schemes of conquest, and would not ratify the treaty.

THE EARL OF DERBY observed, that

Lord Chelmsford

the treaty had already been ratified by one of his predecessors, and there was no occasion for the present Emperor of Abyssinia to agree to it, as it was in force.

THE EARL OF CLARENDON: It was not in force if the Emperor would not give force to it. Consul Cameron was directed to return to Massowah which were the head-quarters of his consulate, and to remain there until further orders. Unfortunately, Consul Cameron did not obey these instructions, or the instruction of the Emperor, but remained in Abyssinia; and it was to this his not having proceeded to Massowah as directed that all this distress and suffering have occurred. We know that the bearer of a letter from the Emperor of the French was thrown into chains because the letter was signed by M. Drouyn de Lhuys and not by the Emperor of the French. Our object was to prevent intermeddling in the affairs of the country, and when we found that Consul Cameron was mixed up with them a letter was written to him telling him to return to Massowah, and there to attend to his duties. This letter fell into the hands of the Emperor of Abyssinia, and, it is said, unfortunately caused the sufferings of the prisoners to be increased. The first we heard, not of the imprisonment, but of the detention of Consul Cameron, came by rumour through Egypt. It was, then, to be considered in what manner we should proceed—whether by force or negotiation, in order to effect the liberation of the prisoners. Now, to attempt to send an army across that deadly plain which separates Abyssinia from the sea, and to penetrate into the interior of the country through mountain passes and difficulties unknown, without any basis of operations or means of obtaining supplies, would have been a vain and idle endeavour. In such case the Emperor would have carried his prisoners further into the interior, or would have massacred them, while we should have sacrificed many thousand lives. Next came the question how should an attempt be made to attain the desired object by negotiation. The noble and learned Lord says that if he had been responsible for the matter he would have sent out an important mission, headed by a man of rank. Now I think that if he had been responsible he would have done no such thing, for it is likely that the members of that mission would have shared the same fate as Consul Cameron. We have evidence for believing that the Emperor of Abyssinia supposed that by keeping these men prisoners he would coerce the British Government into his policy. Therefore, I think that every man belonging to such a mission as the noble Lord suggested would have been thrown into chains; and I need not say how much the difficulties of the case would have been aggravated by such an event. That Consul Cameron had fallen into a state of captivity was his own fault; but if the Queen had sent from this country an important mission, and if all the members of it had been thrown into chains, it would then have been necessary to adopt every measure to obtain their release, or the prestige of England would have been at an end throughout the East. When, therefore, in the case of the present prisoners we had to decide on the selection of an efficient agent, our choice fell on Mr. Rassam. I am at a loss to account for the hostility which the noble and learned Lord has now, and in the previous Session, displayed towards Mr. Rassam.

LORD CHELMSFORD: I have invariably said that I had no doubt Mr. Rassam was a man of very great ability. My only objection to his appointment was —and I considered it a conclusive objection—that he was not a European.

THE EARL OF CLARENDON: The noble and learned Lord may have said that, but he has also always contended that he was an unfit person to be sent out on his present mission.

LORD CHELMSFORD: Only on that ground.

THE EARL OF CLARENDON: Only on that ground! The noble and learned Lord could have said nothing more decisive—such language, I maintain, calculated to lead the Emperor of Abyssinia, if his words reached him, to think that to send Mr. Rassam on this mission was an insult towards him on the part of this country. The noble and learned Lord and the press have thus, I am sorry to say, done their best to second the failure of that mission. One would suppose, too, from what has fallen from the noble and learned Lord, that Sir William Coghlan shared with him the opinion that Mr. Rassam was not a proper person to select, but I will read to the House what it is that Sir William Coghlan really thinks of that gentleman. He says—

> "Mr. Rassam's antecedents, his status, and his qualifications are greatly misunderstood and misrepresented by a portion of the press of this country. He has been variously styled Levantine, Greek, obscure Armenian, Turkish subject, nondescript, &c. In answer to these assertions it is but just to a very deserving public servant to say what Mr. Rassam really is. He was born at Mossul, of Christian parents (his brother is British Vice Consul there), he received his education in England, he is a gentleman in manners and conduct, and his qualifications for the peculiar line in which he has been employed during the last ten years cannot be surpassed. I speak with confidence on this point, for Mr. Rassam was my assistant at Aden during many years of trouble; a part of that time he held charge of our political relations at Muscat, and acquitted himself to the entire approval of the Government which placed him there. In short, Mr. Rassam's whole previous career well justified the expectation which Her Majesty's Government entertained in appointing him to the delicate and difficult mission on which he is now employed. The disappointment of that expectation is not attributable to any fault of his."

I think your Lordships will scarcely, after that statement of Sir William Coghlan, be of opinion that Mr. Rassam was not a proper person to send on this mission. Besides, he was at Aden, near the spot, and much delay was obviated by his appointment. He was therefore ordered to go in charge of a letter from the Queen, and requested to put himself in communication with the Emperor of Abyssinia, and to ask for a safe-conduct. It was deemed necessary that he should do this; because if, being the bearer of a letter from Her Majesty, he happened to be put in chains and thrown into prison, an additional insult would be offered to this country. He, moreover, managed to place himself in communication with Consul Cameron, and was warned by him not to enter the Emperor's dominions unless he had a safe-conduct. This he succeeded in getting; but the document was of a somewhat suspicious character, inasmuch as it was not signed by the Emperor himself. He was, however, advised by Consul Cameron to accept it. Considerable delay took place in Mr. Rassam's departure for the interior while he waited for answers to the letters which he had written to the Emperor. The public at home became very anxious on the subject, and my noble Friend (Earl Russell) did accept the offer of Mr. Palgrave, who was, however, informed that his mission was not to interfere with that of Mr. Rassam. It was afterwards represented that the Emperor might feel insulted if the two missions were to go out at the idea of having what he might suppose to be an inferior person, not the bearer of a letter from the Queen, sent into his dominions, and it was decided that

Mr. Rassam should proceed on his mission. I can assure the noble and learned Lord that Her Majesty's Government are as anxious as to the result of that mission as he can possibly be, and since he gave notice of putting a Question on the subject on the first night of the Session, I have received letters relating to it which I shall be glad to read to the House, although, I am sorry to say, they do not contain proofs of the deliverance of the prisoners. The first is from Colonel Merewether, and is dated Aden, January 21. It is as follows:—

> "The *Victoria* returned from Massowah this morning, bringing news from Rassam up to the 8th of November, and from Cameron to the 28th of September. I enclose copies of Cameron's letters to Rassam; also one from Mr. Stern to Rassam. These letters from the prisoners were received by M. Munzengen on the 16th of December. The delay on the road was caused by the messengers being afraid of the cholera, which they were told was raging at Massowah. M. Munzengen adds that he had received no news direct from the prisoners later than the 28th of September. It was said that King Theodore had come to Godjan, and M. Munzengen thought the news was authentic. When the King had come so much nearer to Metemneh, Mr. Rassam could not delay to enter into communication with him, and M. Munzengen felt sure that decisive news would very shortly be received. It was given out that the King was taking the prisoners with him, but that required confirmation. Rassam will have told you all about his own progress in his letter to you. M. Munzengen reports that Rassam left Kasala on the 9th of November, and was expected to reach Metemneh by the 20th. Long ere this I hope he has had an interview with the King and effected the release of the captives. Dr. Beke arrived here on the 10th, and, as the *Victoria* was proceeding to Massowah on the 11th, I gave him and an Abyssinian priest he had with him a passage in her. Some of his stores had not arrived here yet, and he cannot go up country without them, he told me; so I hope before they reach him we shall hear of Rassam's complete success, so as to render any further attempts of Dr. Beke's unnecessary."

The next is from Mr. Rassam himself. Mr. Rassam, writing from Kasala on the 8th of November, says—

> "The head cameleer, who has been ordered to get camels for me by the Governor, hopes that we shall start this afternoon, or at the latest early to-morrow morning; if so, I hope to be at Metemneh on or about the 20th instant, five days later than I calculated upon when I left Massowah, as I did not expect to have had so much difficulty in obtaining camels. . . . You may get this letter about Christmas time, when I hope to be enjoying myself with His Majesty of Ethiopia. [This letter was received on the 7th of February.] I trust that I shall yet succeed in accomplishing what is required of me, and I have not the least doubt of that end through the good wishes of my friends."

The Earl of Clarendon

The next letter which I shall quote is from Mr. Cameron to Mr. Rassam, and is dated from Magdala Prison, Abyssinia, September 18, 1865. It says—

> "We have had some trouble in getting comfortably through the winter, owing to the difficulty of getting provisions, but there has been no one ill except Rosenthal, who has been shut in for about ten days with neuralgia and sore eyes. I am stronger and better than I have ever been since leaving England. Please God, all may end well. Pray send the two accompanying letters to England, and God bless you, my brave Rassam, and grant that we may leave this horrid country together."

Although, therefore, I cannot communicate to your Lordships the gratifying news that these prisoners have been set at liberty, it is still some satisfaction to know that they are in better health than could have been anticipated. I think the policy which has been pursued by Her Majesty's Government in sending Mr. Rassam, who is as fitted for the task as any could be, is better than would be the tempting of Providence by sending out agents who would probably share the fate of the captives already in the Emperor's power.

LORD CHELMSFORD, in explanation, disclaimed having said anything in hostility to Mr. Rassam, but quoted the opinion of Sir William Coghlan, to the effect that Mr. Rassam's endeavours had failed; that there was nothing for it but to make another effort from England; that the long delays which had taken place had added to the difficulty incident to this matter, but that that difficulty must be encountered.

THE CATTLE PLAGUE—DEPUTATION FROM THE CONFERENCE AT ST. JAMES' HALL.—QUESTION.

LORD BATEMAN rose to put the Question to the noble Earl at the head of the Government of which he had given notice, but said that he desired to preface it by a few observations on the subject to which it referred. A very large and influential meeting, composed of eminent agriculturists from every part of the kingdom, with a deputation from forty-four or forty-five counties in England and Scotland, had been held on the previous day in St. James' Hall, in order to confer together on the subject of the cattle plague, and to determine what representations they should make in regard to it to the Government. Certain resolutions of the strongest nature were passed at that conference. Although all parties and shades of opinion, as well as all classes interested in the cattle trade, were represented at that meeting, and although there might have been some slight difference of view manifested on certain minor points of detail, yet he thought he was justified in saying that there could not possibly have been greater unanimity displayed than was exhibited at that conference. It was arranged that a deputation should wait upon the right hon. Gentleman the Home Secretary on that morning; and the object of his present Question was to ascertain from the noble Earl the nature of the reply given by Sir George Grey to the members of that deputation. He wished to impress on the noble Earl that that deputation was not the first by a great number which had already attended at the Home Office. The county with which he was connected—one of the largest cattle-breeding counties in the country (Herefordshire)—had made representations of the same kind to the Home Secretary without the slightest result. He therefore now desired, if possible, to extract from the Government some indication of what their policy with reference to that fearful scourge was likely to be. There had already been far too much delay, and the great interests involved could not continue to wait while the Government were hearing this person and that person, and making a party question of that subject. It was not a party but a national question. Those with whom he acted did not wish to make it a party question, but to press their views with respect to it upon the attention of the Government, and to elicit some answer to the representations daily being made to them from all parts of the kingdom. If he was not misinformed, the Royal Agricultural Society of England applied a few days ago to be received as a deputation, and the Government told them that they must put it off till Monday next. Now, they had had too much putting off; and that was the very thing they complained of. There was, certainly, the promise that a Bill should be introduced into the other House. It might not be in strict accordance with the usages of Parliament that some idea of the nature of a measure about to be brought into the other House should now be given to their Lordships; but on a vital question of such extreme urgency as that, he really thought the Government might, without impropriety, afford some intimation of their probable policy. The noble Lord concluded by asking the noble Earl the First Lord of the Treasury for the Answer of the Secretary of State for the Home Department to the Deputation from the Cattle Plague Conference held at St. James' Hall?

EARL RUSSELL: In reply to the Question of the noble Lord, I have to say that my right hon. Friend (Sir George Grey) has not given any formal answer to the deputation this morning. He received them, but he did not state what was the intention of the Government. The better and certainly the more regular and convenient course to pursue when a measure is about to be proposed to Parliament is to allow the Minister who is charged with the introduction of that measure to explain its provisions, and state the views of the Government on the subject to which it refers. It is, no doubt, important that there should be no unnecessary delay; but it was only last Tuesday that Her Majesty delivered Her Speech from the Throne, and the interval between that day and Monday is, I think, not unreasonable. The noble Lord says, and I agree with him, that the measure of the Government ought to be discussed with an absence of party spirit, and I trust it will be discussed in such a way that the Legislature may come to a right decision. In France and Belgium measures have been adopted by the Governments of those countries which have been in a great degree successful. I hope that the proposals made by Her Majesty's Government will be equally wise, and in the meantime I trust that the delay from this day to Monday will not be productive of inconvenience to the interests concerned.

THE EARL OF DERBY: There is one very good reason, as it seems to me, why this question should not be considered a party question, and that is, because the feeling seems to be unanimous—even the general supporters of the Government concur—in deprecating the course which the Government have pursued. I cannot help adverting to what seems to be an inconsistency in the course taken by the noble Earl at the head of the Government. During the whole of the autumn and winter the various Orders in Council have been justified by saying that it was necessary to ascertain the views of the country, and that the Government had to feel their way in order to know how far they might go—so that if they found the feelings to be strong and general they might adopt more stringent measures. Now, if there is anybody able to speak with authority on this question and represent the opinion of the country, it is the Royal Agricultural Society of England. If, however, I understand aright, they requested the honour of an interview with the noble Earl at the head of the Government in order to lay before him the unanimous opinion of the Society. I should have thought that the noble Earl would have been glad to receive such a body; but the noble Earl, I am informed, has told them that although he will be very glad to hear what they have to say, he cannot receive them until two o'clock on Monday—that is, two or three hours before the measure of the Government, which will then be cut and dried, is submitted to the House of Commons. If the noble Earl was really desirous to obtain the opinion of the Royal Agricultural Society, it appears to me he ought to obtain it before Monday, so that if desirable the Government might act upon their representations. Seeing them on the very day the Government measure is to be brought in does not, I confess, seem to me a very advantageous mode of profiting by the advice of the Royal Agricultural Society.

Earl RUSSELL: With regard to the first observation of the noble Earl, I am informed that a very distinguished member of the Royal Agricultural Society, the hon. Member for Aberdeenshire, has expressed an opinion that Her Majesty's Government have done all that they ought to have done. No doubt others are of opinion, on the contrary, that the Government ought to have taken more vigorous measures. I have this very day presented a petition from an association in that county—Aberdeen—which has shown so much vigour and energy in taking measures against the cattle plague, suggesting that the measures adopted in that county are worthy of consideration. If the Royal Agricultural Society had come to me a fortnight ago I might have appointed an earlier day to receive them, but when they applied to me I was unable to see them before Monday next.

Earl SPENCER said, he would endeavour not to weary their Lordships, but he hoped to be allowed to make a few observations upon the subject introduced by the noble Lord (Lord Bateman). He was of opinion that we had come to a great crisis in the matter of the cattle plague. In a very short time the grass would begin to grow, and it was necessary to act with great vigour during the short interval that remained, unless their Lordships made up their minds to see this terrible plague ravage the country during the whole of the summer. During the discussion in the other House of Parliament, frequent remarks had been made upon the Report of the Royal Commission. He thought it his duty to make a few observations upon those remarks, and he only regretted that their Lordships had not the advantage of hearing some member of the Commission better able to explain their views. It had been asserted that the Government were justified in not taking more stringent measures by the very great division of opinion that existed among the members of the Commission. It was true that as many as four reports were appended to the Report of the Commission; but if these reports were examined it would be found that there were not such great and important differences as were alleged to exist. It was true that Mr. M'Clean, an eminent engineer and a member of the Commission, differed from his colleagues in not attaching so much importance to the cattle plague as they did. With regard to the other eleven Commissioners, they agreed as to the identity of the disease with the rinderpest, which was so well known in Germany, Prussia, and Russia, and known not only to history, but by sad and constant experience every year. All the medical men and veterinary surgeons abroad had studied the disease, and the only thing they were agreed in recommending was the adoption of the most repressive and stringent measures. As to the cure of the disease, when it once broke out they gave it up. The Commissioners were, therefore, of opinion that strong and stringent measures must at once be adopted in this country to stop the disease. They did not wish to leave the adoption of these measures in the hands of the local authorities, believing that the Government were better able to carry them out and to instruct the country in regard to what was necessary to be done. On this point they were all agreed; and they were also unanimous in thinking that the only measure likely to be really efficacious was in putting a total stoppage to the movement of all the stock in Great Britain. Then came the difference between the Commissioners to which he had adverted. The minority of the Commission—and he was one of that minority—shrank from advising the Government to adopt a measure so novel and so gigantic in its proportions as the majority thought the Commissioners ought to recommend. The minority were of opinion that they were called upon to recommend some practical measure which the Government could put into execution. The arguments that weighed with them were that to stop the trade in cattle was impossible, that there were many parts of the country in which the disease had not appeared, and that the country at that time was not aware of the importance of the subject. The minority considered that the course and custom of so important a trade could not be revolutionized by a stroke of the pen under such circumstances. They, therefore, recommended measures which he admitted were not so efficacious, but which they thought were more useful because they would be carried out. It was thus only as to the degree of stringency that the Commissioners differed. This was in the month of October. He must say he still entertained the opinion that the minority of the Commissioners were right in the view they took and the recommendations they made at that time. But matters had now changed. On the 4th of November the total number of cattle that had died of the plague was not more than 10,000, while the number of deaths was now 11,000 a week, and the deaths altogether amounted to 120,000. The country was now thoroughly alarmed. Another circumstance favourable to the re-consideration of the subject was, that a change was taking place in the meat trade. There had been of late an enormous increase in the dead meat of the country, and the result was that, if it were indispensable to stop the movement of stock in the country, the trade would be able to accommodate itself to the change, while in October they would have been unable to do so. Another point was deserving of consideration. In two months' time the grass would be growing, and the farmers would be obliged to purchase their stock and replenish their herds. After that had been done the adoption of restrictive measures would be almost impossible. Was it, therefore, too much to ask the large towns to put themselves to some slight inconvenience for only six weeks ? He conceived that a vast difference existed between that proposition and what was contemplated in October last, when the large towns would have had to submit to stringent measures for six months without having any very clear idea as to what the result would be upon the supply and price of meat. Still, he was bound to confess that a measure restricting the locomotion of cattle could not now be recommended with the same confidence as a cure for the cattle plague as it could have been six months ago. He especially doubted very much whether the total stoppage of cattle traffic would put an end to the disease in Cheshire, because he believed the air of the district was so thoroughly impregnated with it as to be past cure, until the infection actually died out of itself ; he felt, therefore, that this measure alone would not be sufficient. He would, therefore, ask the Government seriously to consider the proposals of so large and influential a meeting as that held yesterday. He thought it would be necessary to go as far as to cleanse all the places where any diseased animals had been. He agreed with Dr. Lyon Playfair who had stated that if the recommendations of the Commission were to be carried out with the intention of doing good, it would be absolutely necessary for Government to give the strictest instructions to disinfect every shed where diseased cattle had been. In referring to Dr. Lyon Playfair, he must allude to what had fallen from the noble Duke (the Duke of Argyll) on a previous occasion, with reference to a letter which Dr. Playfair had written to Lord Grenville on this subject; and which the noble Duke stated had influenced the Government in not acting on the Report of the Commissioners. He felt certain that Dr. Playfair had written that letter not to deter the Government from adopting the Report, but, on the contrary, to incite them to greater exertion. But time was wanted to do this, and the proposed suspension of all cattle traffic would give time for the cleansing not only of the market places and sheds, but also of the railway trucks, so that in the spring there would be no fear of animals catching the infection by being placed in infected places. He had had considerable difficulty in bringing himself to see the necessity of such stringent measures ; but when he saw an influential meeting such as that of yesterday, representing all the counties in England, agreeing upon the question, he was willing to waive his own opinion, and consent with the rest to the course proposed. And even if the stoppage of cattle traffic and other measures for the period suggested failed to accomplish the one great object all had in view, still the advantages which would result from the arrangement would be very great. The disease would certainly be very much decreased for one thing, and much future distress prevented. He had sanguine hopes that if the Government would take the question in hand with vigour and determination, the disease would be eradicated as it had been from France and Belgium by the respective Governments of those countries. He would, in conclusion, press upon the attention of the Government the resolutions come to at the meeting yesterday, and say that although he did not desire to see them all embodied in the Government measure exactly as they stood, yet they were all worthy of the consideration of the Secretary of State, and he would be glad to see the spirit of them imported into his Bill.

Lord WALSINGHAM said, he was very anxious, as a member of the Royal Agricultural Society, to remind their Lordships that a deputation from the Society had waited upon a Member of the Government two months ago, and that the proposed deputation was not the first. He said this because he feared that some of their Lordships might be led to believe that the Society had been backward in pressing their views upon the Government. As he would have an opportunity of expressing his opinion upon the subject when the deputation waited on the noble Earl, he would not now say more than that he agreed with the noble Lord who had last addressed the House.

Earl GRANVILLE: My Lords, I regret very much to find that some remarks which I thought it necessary to make in reference to the recommendations of the Commission have been construed into an attack upon it. But the idea of attacking the Commission never entered into my head. On the contrary, I think Her Majesty's Government owe a deep debt of obligation to the Commissioners. At a time most inconvenient to themselves they devoted their energies to a most difficult task, and although they put the Government to some inconvenience in recommending a course which the Government, from other reasons, did not think it right to adopt, yet I do think the country has been most deeply benefited by their able Report, especially in respect to the immense mass of information which they have analyzed and condensed, and which they have presented to Parliament in so clear a form, and he thought he should have been wanting in respect to the Commissioners and the country if he had not stated why their recommendations had not been followed. A very able and intimate friend of his, one of the Members of the Commission (Mr. Lowe), thought that this explanation was an attack upon the Commissioners; but he was sure that his right hon. Friend would be glad to learn that he had been misinformed in the observations which he had made with reference to the Privy Council. My right hon. Friend has complained of the Privy Council for not having summoned Dr. Simonds, while the fact is Dr. Simonds was the first person we saw upon the subject, and he with good reason declined to act in behalf of the Government. And with reference to another charge, I have to say that the Order in Council issued on the authority of Lord Palmerston and the noble and learned Lord upon the Woolsack was simply an extension to Scotland of the first Orders issued. Then we were charged with not having found out speedily enough whether the disease was the actual rinderpest or not. That is not the case. Sufficient doubt existed among professional men as to the nature of the disease to render it inadvisable to mention the name "rinderpest." Accordingly, the word "rinderpest" did not occur in the first Order; but it was inserted in the second Order issued on the 11th August. Some complaint, too, has been made that the appointment of the Commission was delayed unnecessarily; but the fact is that there is a great difficulty in appointing a Commission in the dead season of the year, so many gentlemen are away from home. The addresses of some were not known; others were in Switzerland; and, of course, endless delays from such causes were experienced. I think that your Lordships will agree with me that my noble Friend the Prime Minister is right in asking your Lordships not to anticipate the measure which is to be introduced on Monday. The noble Earl opposite alluded to the unanimous opinion of the House.

The Earl of DERBY: I said there was a very general expression of opinion on the part of the House.

Earl GRANVILLE: Yes, and the speeches in the House bore out that impression; but I found, in the course of conversation, that even leading Members on the Opposition side of the House entertained the opinion that there would have been a very strong opposition to a uniform Order, and some noble Lords considered it absolutely impracticable. I cannot acknowledge that in our conduct we waited to be guided by a little rise or fall in public opinion. We found that we really had not the power of enforcing arbitrarily upon the whole country measures which could only be carried out by the acquiescence of local opinion, and this feeling dictated our conduct as far as possible. The great advantage which an Act of Parliament possesses over an Order in Council is that the proposals before being accepted are well discussed, and different opinions upon the matter find expression and are read in every part of the country. But I earnestly hope the Bill will not be treated as a party measure.

EARL FORTESCUE said, that from personal experience, he felt bound to express his conviction that any attempt to enforce stringent uniform orders throughout the country would not only have been generally unpopular, but perfectly unworkable. There was in this country no *gensdarmerie* to enforce measures even when sanctioned by Orders in Council framed under the provisions of an Act of Parliament, and such measures could not be carried out unless the people generally concurred in their advisability. He knew that in his own neighbourhood, Devonshire, he had heard gravely-entertained propositions of evading even the very limited and certainly not too stringent operation of the notices given by a majority of the magistrates in the petty divisions. There had also been the grossest carelessness in many districts, even on the part of the farmers themselves, owing to the general indisposition to inform and enforce the penalties against the neighbouring farmers who had evaded the prohibitions. The state of public opinion would certainly in October and November not have sanctioned the introduction of too stringent measures; and he even now doubted whether some latitude ought not to be allowed in any Act of Parliament about to be framed respecting the movement of cattle in districts quite remote from infection. Orders could not enforce themselves, and unless they were generally acceptable to the people, there was no machinery in this country which could secure the enforcement of any orders. The enforcement of penalties would not, he felt convinced, secure obedience to orders unless partial compensation were made to those whose cattle were to be slaughtered, as he believed they ought to be slaughtered. His experience of voluntary and mutual insurance associations had shown them to be failures, and he felt convinced that terror alone would be quite insufficient to induce men rendered desperate by losses to obey the law in such a manner as to save their neighbours' property from destruction.

THE EARL OF AIRLIE said, he quite agreed that no measures could have been effectually enforced if they had not met with the concurrence of the local authorities. In his opinion, instead of stamping out the disease they were only spreading the infection by sending the butcher to the ox, as the effluvium arising from the slaughter of an ox apparently sound, but really diseased, must be very dangerous in a homestead. The case of Aberdeenshire had been held up as a very bright example of what should be done to stamp out the disease. Still, even in that county the cattle traffic, although under restrictions, had never been entirely stopped, sound cattle being permitted to travel on the sanction of the committee being obtained. That sanction, however, was only given on the express understanding that the cattle so removed were not to return, but were to be slaughtered at the market. He did not know whether their Lordships were aware of the very singular manner in which the cattle plague had again broken out in Aberdeenshire. From a statement in *The Times* newspaper of that morning it appeared that Mr. Hay, the inspector for the county, had discovered that the disease had been communicated by means of a pack-sheet used for wrapping up the carcases of beasts slaughtered for the London markets. If the statement was correct, that was a strong case to prove the danger of slaughtering at home, and in favour of allowing cattle to be removed under certain restrictions. The disease had arrived at such a stage that they could only hope to free the country from it by slaughtering all diseased cattle, and isolating all suspected animals until they could get a clean bill of health. He was glad to learn that the Government were going to introduce a Bill on the subject on Monday night, and he trusted that they would press it forward as rapidly as possible.

THE DUKE OF ARGYLL said, the question was whether the Government were to put a stop to all cattle traffic, or were to permit it to take place under certain restrictions. His noble Friend (Earl Spencer) himself, at the time that the Report of the Commission was made, was distinctly opposed to an entire stoppage of the traffic; and he was supported in that opinion by three distinguished Members of the Commission. His noble Friend was also decidedly against prohibiting the carriage of cattle on railways for the supply of large towns; and although he might have changed his opinion since, the judgment he came to in the first instance was supported by a very important minority of the Members of the Commission. He saw from a report in *The Times* of that day that at a meeting which was held on Thursday, over which a noble Lord present (the Earl of Lichfield) presided, the representatives of the Agricultural Societies of Edinburgh and Glasgow protested against a resolution being carried prohibiting the bringing of live cattle into large cities, and that was a circumstance worthy of consideration when Government had to determine whether the large populations of the kingdom were to be deprived of their supply of live meat by railway. That was a matter which could not be determined by any resolutions passed at a public meeting, but was a question for Parliament.

THE EARL OF LICHFIELD said, that at the meeting referred to an amendment in favour of excepting large cities from the operation of the prohibition was rejected by a large majority. He was much pleased to hear that the views of his noble Friend who had acted on the Royal Commission (Earl Spencer) with regard to the necessity for the suspension of the cattle traffic had changed since the publication of the Report of the Commission, and he thought that the reasons given by the noble Lord for the change in his opinion were perfectly satisfactory. He thought that the noble Duke (the Duke of Argyll), in remarking upon the important difference of opinion between the majority and the minority of the members of the Commission, had somewhat exaggerated that difference of opinion. As far as he understood the two Reports, the opinion expressed in both was in favour of applying uniform regulations to the whole kingdom, whether those measures were to be of the stringent character recommended by the majority, or of the milder character recommended by the minority; and he thought when he read the Reports that nothing could be stronger than the advice they contained, that whatever regulations were adopted should be applied uniformly throughout the country. It was clear that it was utterly impossible that any regulations could have been applied throughout the country generally without an Order from Government to that effect; and, although he was not in the least inclined to blame the Government for not having acted with more decision up to a certain point, he did think that at a later period, when there had been a very strong and a very universal expression of opinion throughout the country with regard to the necessity for uniformity of action, it was unfortunate that more stringent regulations were not adopted by the Government. Had Government desired to have a general expression of the feeling of the country upon the subject, nothing would have been easier than to have sent circular letters to the chairmen of quarter sessions in October last, requesting information upon the matter. It was true that no suggestions had been offered by those bodies; but it must be recollected that when they assembled in the early part of October the Royal Commission had just been appointed, and that it was looked up to with great confidence by the people, who believed that any Report issued by that Commission would be acted upon by the Government. It must also be recollected that at that time the public generally throughout the country were not sufficiently well-informed upon the subject either to have given any recommendations to the Government or to have acted for themselves in the matter; and he must say that nothing had astonished him more than the difficulty there was at one time in persuading the farmers of the imminent danger of the disease. He was, therefore, disposed to think that up to a certain time it would have been difficult, if not impossible, for the Government to have acted otherwise than they had done. But when the Orders in Council were issued, leaving it open to the local authorities in the different counties to act as they thought best for their local interests, it was to be expected that they would, to a certain extent, be guided by the action taken by the Government in the particular case which came under its immediate control—namely, the movement of cattle from the ports into the interior of the country. Now certainly the action of the Government in that case was not in the direction of putting a stop to the traffic, for since the issuing of the Orders in Council the movement of cattle from the ports to the interior had been unrestricted, and, as far as the public were aware, no precautions whatever had been adopted to prevent the evils likely to arise from such traffic. It was his earnest hope that the strongly-expressed opinion of so many practical agriculturists who were present at the meeting referred to, coming as they did from all parts of the kingdom, and representing so many agricultural societies and the most important agricultural interests, would have great weight with the Government when framing the Bill to be laid on the table on Monday next.

House adjourned at a quarter before Eight o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 9, 1866.

MINUTES.]—Select Committee—On Public Accounts *nominated.*

Public Bills—*Resolutions reported—Bills ordered*—National Debt Acts*; Savings Banks and Post Office Savings Banks Acts.

First Reading—National Debt Reduction* [4]; Savings Banks and Post Office Savings Banks* [5.]

THE CATTLE PLAGUE.

POSTPONEMENT OF QUESTION.

Mr. WALDEGRAVE-LESLIE said, he should postpone till Monday his Question as to the intention of the Government in respect to giving compensation for stock, hides, horns, &c., destroyed or buried by direction of Cattle Plague Inspectors, acting under Orders in Council.

Sir GEORGE GREY said, he thanked his hon. Friend. It would be more convenient to postpone the Question till he made a general statement as to the intentions of the Government.

LAW OF HYPOTHEC.—QUESTION.

Mr. CARNEGIE said, he wished to ask the Lord Advocate, Whether it is his intention to bring in any measure in regard to the Law of Hypothec in Scotland?

The LORD ADVOCATE said, it was the intention of the Government to introduce a Bill in conformity with the recommendation of the Commissioners.

THE REFORM BILL.—QUESTION.

Mr. H. BERKELEY said, he would beg to ask the Secretary of State for the Home Department, Whether, in conjunction with the information recommended to be procured in Her Majesty's Speech in reference to the rights of Voting in the Elections of Members to serve in Parliament, it will not be deemed necessary by Her Majesty's Government to inquire into the causes which at present prevent so large a portion of the Electors from Voting, and encourage so large a portion to traffic with the Franchise; and whether such an inquiry be not necessary previous to the creation of a Reform Bill?

Sir GEORGE GREY: I can only say that Her Majesty's Government have called for such information as they think necessary in order to lay before the House a Bill on the subject.

Viscount CRANBOURNE: I wish to ask the Secretary of State for the Home Department, whether he will state to the House the exact nature of the Returns upon the subject of the rights of voting, which are in course of collection by the Government? I hope I may ask Her Majesty's Government to give an answer in detail, as my object is to enable hon. Members to move for supplemental Returns in case those produced by the Government should not be deemed sufficient.

Sir GEORGE GREY: Those Returns will, I hope, be soon completed; and it is the intention of Her Majesty's Government to lay them before the House when they shall be completed. It is better, therefore, to wait for the Returns themselves, as it would be very difficult to give in detail correct information on the subject referred to by the noble Lord. Before communicating the Returns to the House we wish ourselves to be assured of their accuracy.

Viscount CRANBOURNE: Will the right hon. Gentleman lay the circulars on the table?

Sir GEORGE GREY: It will be better to lay the Returns, and all the papers connected with them, on the table at the same time.

Lord ELCHO: I wish to ask the right hon. Baronet whether the Returns referred to by the noble Lord the Member for Stamford will be laid on the table before the Reform Bill is introduced by the Government?

Sir GEORGE GREY: Those Returns will be laid on the table as soon as they are in a condition to be laid before the House. I am not in a position to say when the Reform Bill will be introduced; and, therefore, it is impossible for me to say what the interval may be between the production of the Returns and the introduction of the Bill.

BUSINESS OF THE HOUSE.—QUESTION.

MR. DARBY GRIFFITH said, he wished to ask the Secretary of State for the Home Department, Whether it is not by accident and inadvertence that, in giving notice lately of intended Motions, by Government precedence, he fixed one of them for a Members' ballot night, Tuesday, the 13th; and, whether he has any intention of claiming any right on the part of the Government to give such notice for Tuesdays, without taking their chance of the ballot in common with other Members?

SIR GEORGE GREY said, he could assure the hon. Member that he had no intention of claiming any precedence for the Government on Tuesday nights. He gave his notice without reference to the fact of that particular day being the ballot day, and it was not until he knew of the hon. Member's notice that he had observed the coincidence. He had communicated privately with the right hon. Member for Droitwich to state that he should be quite willing that the right hon. Baronet's and hon. Members' notices should take precedence of his. [Sir JOHN PAKINGTON: Hear, hear!]

MR. DARBY GRIFFITH said, that the right hon. Baronet's explanation was perfectly satisfactory.

LOSS OF THE "LONDON."—QUESTION.

SIR JOHN PAKINGTON: I wish to ask the right hon. Gentleman the President of the Board of Trade a Question of which I have not given him notice—namely, Whether it is true that counsel, who appeared on behalf of the relatives of persons lost in the *London*, at the inquiry into the melancholy circumstances of the loss of that ship, retired from the investigation on the ground that he was forbidden to cross-examine witnesses; and I beg further to ask, whether, if it be true, the right hon. Gentleman is of opinion that such an inquiry can be attended with beneficial results as regards the future safety of Her Majesty's subjects travelling by sea?

MR. MILNER GIBSON: I have not received any information on the subject to which the right hon. Baronet refers. I shall, however, make inquiries, and give the right hon. Baronet a full reply on a future day.

COLLECTION OF TAXES.—QUESTION.

THE CHANCELLOR OF THE EXCHEQUER moved that the House at its rising do adjourn till Monday. He said that, Committee of Supply not being yet appointed, it was necessary he should do so in order to give hon. Members an opportunity of bringing certain subjects under the notice of the House.

Moved, That the House at rising do adjourn till *Monday* next.

MR. CHARLES FORSTER said, he wished to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether it is his intention, in the present Session, to re-introduce the measure which he proposed in the Session of 1864, relating to the collection of taxes? There was considerable grievance, both to taxpayers and collectors, under the present system, and gentlemen were often nominated to the office of tax collectors when such a nomination was not in accordance with their social position. In 1864, a measure had been brought forward with the view of providing a remedy, and though the measure was not successful, the Chancellor of the Exchequer had expressed his readiness to apply a remedy on an early occasion.

THE CHANCELLOR OF THE EXCHEQUER: My hon. Friend who has put the Question to me is already aware that I take the same view of the merits of the case as he does himself. In my opinion the present system of assessing and collecting the Queen's taxes is a most defective one. To the local jurisdiction relating to the adjudication of the taxes my observation does not apply. This, I think, is not only not inconvenient, but most advantageous and essential as an auxiliary to our system of taxation; but as to the assessment and collection, I have always held it would be most desirable that those functions should be taken directly into the hands of the Queen's Government. The present method is hard upon the taxpayers, and in a large majority of cases upon the persons who discharge the functions of the collection, it being in general a laborious office, of a vexatious character, with small remuneration; the discharge of its duties, which is compulsory by law, amounting in many cases to a serious grievance to those on whom it is imposed. My hon. Friend has likewise alluded to the present state of the law in regard to the liability of parishes to re-assessment where the taxes are collected under the responsibility of officers not appointed by Her Majesty's Government. It is impossible to relieve them from that liability so long as the officers are appointed by the local authorities. At the same time, that is a strong additional reason for the alteration of the law. But I was careful, on the part of the Government, to state to the House that the alteration of a law of this kind, in order to be satisfactory, must be effected with very general concurrence. I hoped that the Bill which was introduced in 1864 would have met with very general concurrence, inasmuch as it passed through the early stages without the appearance of any serious opposition. A difficulty, however, arose with regard to metropolitan collections. There was at that time a great reluctance on the part of the metropolitan districts to be included in the provisions of the Bill, and we who were responsible for it found out that there were many reasons which rendered the Bill greatly desirable, if not urgently necessary throughout the country which did not apply to the metropolis. In Committee, therefore, we propose to exempt the metropolis from the operation of the Bill. If we had not done that we should have had great opposition in the metropolis, but then the omission we had made raised up other opponents, who said they would oppose the Bill if the metropolis were not included. The force of their arguments I failed to perceive, though I was very sensible of the force of their votes. Others at a later stage objected on broader grounds, saying that it was a measure of centralization, that it would unduly augment the power of the Government, and that they were opposed to it on that account. The result was that the Bill was rejected by a majority of four votes, though it would hardly have been more satisfactory had it passed by a majority equally narrow. Now, what I really wish is that Gentlemen would, if they can find time, examine this subject; because, though not in the least degree likely to become one of political or party importance, it is one which greatly affects a number of local communities as well as individuals. I think there will be a general desire to change the present system. With regard to the intentions of the Government, all I can say is that indications of such a state of feeling would lead the Government to introduce a measure founded on the same principle as the last, and that it would be a matter of satisfaction to them if, at an early period, such an indication should be made.

FENIANISM IN THE ARMY.—QUESTION.

COLONEL NORTH said, he rose to ask the Judge Advocate General, Why Drum-Major Farrell, 1st Battalion 2nd Queen's Regiment, and Sergeant Butler, 99th Regiment, have not been brought to trial, either before a military or civil tribunal, for the alleged offence of drilling parties of Fenians? It might, he said, be in the recollection of many hon. Members that at the very outbreak of the Fenian movement these non-commissioned officers were arrested and charged with having drilled Fenian recruits. To show the magnitude of such an offence on the part of a soldier, he would read to the House a portion of the oath of allegiance which these men took upon entering the army—

> "I——do make oath that I will be faithful and bear true allegiance to Her Majesty, her heirs, and successors, and that I will, as in duty bound, honestly and faithfully defend Her Majesty, her heirs, and successors, in person, crown, and dignity, against all enemies, and will observe and obey all orders of Her Majesty, her heirs, and successors, and of the generals and officers set over me. So help me God."

Now, what greater enemy could Her Majesty have than a rebel in her own army? He would also read to the House an extract from the 15th clause of the Mutiny Act—

> "If any person subject to this Act shall, at any time during the continuance of this Act, hold correspondence with or give advice or intelligence to any rebel or enemy of Her Majesty, either by letters, messages, signs, or tokens in any manner or way whatsoever, or shall treat or enter into any terms with such rebels or enemy without Her Majesty's licence or licence of the general or chief commander, shall suffer death or such other punishment as by a court-martial shall be awarded."

If the outrageous rebels to whom he had referred did not come within this or some other clause of the Mutiny Act, he hoped his right hon. Friend would insert some clause in it which would embrace crimes of such a description. On being shown the documents which contained conclusive evidence of their guilt, they acknowledged the offence with which they were charged. It was expected every day that an example would be made of these two men, yet day after day passed without any sign of a court-martial being ordered. Knowing the determined character of the gallant officer at the head of the army in Ireland he could not understand why such a step had not been taken. This being perhaps the most heinous offence a soldier could commit it was then supposed that the case was left in the hands of the Commander-in-Chief of the army and not in that of the Commander of the Forces in Ireland, and every one was perfectly assured that the honour of the army would be safe in the hands of his Royal Highness. Week after week, however, passed until it was supposed that the delinquents were to be tried by a civil instead of a military tribunal. At last the special Commission was issued for the trial of the Fenians, and many wretched men had been tried and were undergoing punishment for having attended the drills while those who drilled them remained to the present moment untried and unpunished. The army was at a loss to understand why these men had been kept under arrest for nearly five months, during which time no proceedings had been taken against them, and he could assure the right hon. Gentleman that no class in the army felt more on this subject than that honourable class, to which these men belonged, the non-commissioned officers. He hoped his right hon. Friend would give the House some information in reference to this matter.

Mr. HEADLAM said, that the men alluded to would be put upon their trial by court-martial in the course of a very few days. One man, indeed, was put upon his trial yesterday, and another was to be tried to-day. It might be true that a longer delay had taken place than would have been right under ordinary circumstances; but, at the same time, the circumstances surrounding the Fenian conspiracy were quite exceptional. The delay had arisen in consequence of the authorities in Ireland having considered it desirable that the trials should be postponed. Some time ago he had written a letter to Ireland to state that he thought it desirable that the trials should take place as soon as possible, and the following was the reply he received:—

> "I have the honour to state that the delay arises from the circumstance that the witnesses whose evidence is material to prove the existence of the Fenian conspiracy, including a man named Warner, and a number of other witnesses, are at present in attendance before the civilian commission sitting in Dublin, and therefore cannot take part in the proceedings before the court-martial."

He hoped that his hon. and gallant Friend would be satisfied with this statement, and that he would say nothing which would fetter the action of the authorities.

Colonel NORTH: What is the date of the letter?

Mr. HEADLAM: The 31st of January.

Colonel North

Colonel NORTH said, he was not satisfied, and he was sure the army would not be, at this delay.

THE CATTLE PLAGUE COMMISSION.
QUESTION.

Mr. NEWDEGATE asked, When the second Report of the Cattle Plague Commission would be in the hands of Members? It was very desirable that hon. Gentlemen should have an opportunity of reading it before the discussion on the subject which was appointed to take place on Monday next.

Sir GEORGE GREY said, that a copy of that Report had been laid before Her Majesty, having been received by him only the day before yesterday. He had received a letter from the secretary to the Commission, stating that the Appendix, containing the opinions referred to in the Report, was not yet ready, but that it would be in a very few days. He had requested the secretary to send the Appendix without delay; but if that were not done, perhaps it might be convenient to place the Report itself in the hands of Members without waiting for the Appendix.

Mr. WALPOLE: Is my right hon. Friend aware that the first Report of the Commission is not yet in the hands of Members?

Sir GEORGE GREY: I presented the first Report on the first day of the Session, but I am not responsible for its circulation.

Viscount CRANBOURNE: May I ask the right hon. Gentleman who is responsible for its circulation?

Sir GEORGE GREY: That question should be addressed to the right hon. Gentleman in the Chair. Of course, I do not mean that the right hon. Gentleman is personally responsible for its circulation, but some officer of the House under the right hon. Gentleman's direction must be so.

Motion *agreed to*:—House at rising to adjourn till *Monday* next.

QUEEN'S SPEECH.
REPORT OF ADDRESS.

Report of Address *brought up* and read.

On Motion, to agree to the Address—

Sir JOHN PAKINGTON: Sir, I readily assented to the suggestion made to me last night by the right hon. Gentleman the Chancellor of the Exchequer, because I felt the force of the appeal which he made to me with regard to the possible postponement of that interesting question of the cattle plague on Monday night. Most sorry, indeed, should I be if any course taken by me should have the effect of postponing for one single hour the action of the House with regard to that most terrible affair. On the contrary, Sir, I do entertain a most earnest hope that the Government are at last about to grapple with this calamity ; the present magnitude of which I am sorry to say I, for one, am disposed to attribute to their neglect and to their selfish fear of assuming that responsibility which, in my opinion, it was the bounden duty of Her Majesty's Government, as the Government of this country, to incur. I look forward, therefore, to the measure of Monday night in the earnest hope that the Bill will include those provisions on which I may say now there is really very little difference of opinion existing. If that Bill should not appear to satisfy the just and reasonable expectations of the country upon this most important subject, I hope that, independently of party considerations, general support will be given to the Bill that has been announced by my hon. Friend the Member for North Northamptonshire (Mr. Hunt). As the debate upon the Address concluded last night, I hope that I shall not be considered as unduly occupying the attention of the House if, for a few minutes, I advert to one or two subjects of great importance in the gracious Speech of Her Majesty that have not been touched upon at all. Let me say that I make no complaint of the debate that has occupied the House for two nights upon the Address. The course of that debate has been unusual, but I think I may say it has been highly beneficial. Two subjects of extreme importance have been debated upon these two nights, one of those nights being given to each subject, and I think that I may add that those subjects have been discussed with a degree of ability and of practical talent that has been highly creditable to the first debate of this newly assembled House of Commons. But there are one or two subjects in Her Majesty's Speech, the importance of which is so great that I think it would be hardly right, and, indeed, hardly respectful, if we should pass them over without some further comment before these debates are brought to a close. One of those subjects are the unhappy occurrences which we all unite in deploring—the unfortunate occurrences in Jamaica. The occurrences in Jamaica have been in the debate entirely unnoticed except in the two speeches to which I am sure we all listened with the greatest pleasure, those of the Mover and Seconder of the Address, and which were so full of talent and of promise. Both of those speakers adverted to the Jamaica question, as it was, of course, indispensable to the position they occupied that they should; but I think that I should not do justice to the noble Lord and to the hon. Gentleman if I were not to admit in the broadest manner that the tone and temper in which they referred to the unfortunate occurrences in Jamaica showed a degree of forbearance, and moderation, and justice that left nothing to be wished for. [" Hear, hear !"] I hear that observation cheered on the other side of the House, and I, for one, say that I heard the observations of the Mover and Seconder of the Address with sincere gratification and pleasure ; and in no part of their speeches did I more entirely concur than in the portions in which they stated their opinion that it would be now premature and improper for any Member to rise in the course of the debate and enter into anything like a discussion of the Jamaica question, or the conduct of the officers concerned in it. I subscribe entirely to that opinion, and it is with that feeling that I am bound to say that I think that it would now be premature and improper to enter into any discussion of the merits of the Jamaica question or of the conduct of the officers or others connected with it. This being so, I do think that this is eminently the moment when it behoves independent Members of the House to give expression to the regret—I had almost said indignation—with which we have observed that this reserve has not been practised out of doors during the recess. That by a portion of the public press, at various public meetings, and I am sorry to say by some Members—some eminent Members of this House—the conduct of the officers in Jamaica has been discussed, prejudged, and condemned. This has been done by men who had not the means of judging in their possession, who had not before them the evidence upon which alone a sound and candid judgment could be formed, and in reference to whom, therefore, it was impossible for the Government and the public not to have felt deep regret when they heard the opinions which have been expressed. I see the hon. Member for Birmingham (Mr. Bright) opposite, and I say frankly, that I think that none of the expressions of those who commented upon these transactions during the recess are open to so much censure—which I, for one, read with so much regret

—there are none as those used by the hon. Member for Birmingham. I hold in my hand an extract from a speech of the hon. Member, made last month in the town of Rochdale, and in it I find this sentence. Speaking of the trial and execution of Mr. Gordon, the hon. Gentleman used this language—

> "I say from the beginning to the end it is a mass of illegality, and I believe there is not a Judge who sits upon the bench in the United Kingdom, who, speaking in his private capacity, would doubt for one single moment that Mr. Gordon was murdered."

This might, perhaps, have been said in the warmth of public discussion. [Mr. BRIGHT: Not at all.] But I am sorry to say that I hold in my hand distinct proof that it was not, for on another occasion he used language to the same effect. At a meeting at Bradford, the hon. Member said—

> "I take my opinion only from documents furnished here by those whose interest it is to put the most favourable interpretation on their conduct, and I say that murder is foul, and that there is no murder more foul than that done by men in authority under the pretence of law; I say if murder has not yet changed its name, and be yet a crime visited with punishment in this country, then I hope that the Governor of Jamaica and his accomplices will have to stand at the bar of justice for the murder of Mr. Gordon."

[Mr. BRIGHT: Hear, hear!] The hon. Gentleman cheers, but I am glad to find that he is not supported in that cheer. I feel with deep regret that a Member of this House, a man of the just eminence of the hon. Member for Birmingham, should have allowed himself, by party or other considerations, to be led into the use of language that is, in my opinion, absolutely unjustifiable. The use of such language by any man, before the evidence arrived in this country, and before anybody could know the facts of which he was judging, the general, the universal opinion, I say, of dispassionate men must be that the use of such language was not only indecorous, but grossly unjust. Who and what is the man whom the hon. Member brands with murder? The hon. Gentleman says murder is foul. So also are false accusations. Who is the man thus branded with the horrible crime of murder? I have not the honour of a personal acquaintance with Governor Eyre. I think he was not in the public service when I, for a short time, held the seals of the Colonial Office. At all events, I have no personal acquaintance with him. I speak of him wholly without any personal bias. But he is known by reputation. He is known to many friends and acquaintances of mine, and I never heard any report of him but one—namely, that he is a highly honourable public servant, and that if there be one quality for which he has been distinguished more than another, it is for the humanity and kindness and good feeling with which he has treated and considered the welfare of the native races in various colonies. I say that such a man is not one who ought to be branded with the crime of murder, unless upon the very clearest evidence and most ample demonstration. The hon. Gentleman the Member for Glasgow (Mr. Graham), in seconding the Address, said that justice must be done; and I entirely concur with him, and so will every dispassionate man upon both sides of the House. But, on the other hand, let us all remember—and I can hardly believe that there is a man sitting listening to me in this House who will fail to remember—that if Governor Eyre did err, if he was led into any conduct of which we sitting calmly and safely in England may feel ourselves compelled to disapprove, he acted in a most grave and trying emergency and from a zealous desire to do his duty to his Queen, his country, and the colony committed to his charge. He was led into an error, if error it be, upon reasons which whether they are well founded we do not yet know; and let us be cautious how we form a premature opinion. He acted in the full persuasion and belief that the lives of the handful of Europeans who inhabited that island were not safe from attack by the 400,000 of half-civilized and infuriated negroes. I say, under these circumstances, it is cruel and unjustifiable for any man of eminence in the country, before large bodies of his countrymen, to endeavour to excite them and lead them away from a calm decision upon this question by charging Governor Eyre with a crime such as that which the hon. Member for Birmingham has laid to his charge. I hope that the House will agree with me that these discussions should not close without some voice being raised to protest against this premature decision, and to assure Governor Eyre, that there is at least a portion of the Members of the House, and I hope that I may say that that portion includes in it Her Majesty's Ministers, who will not shrink from censuring any part of his conduct if it should be necessary, but who will do him justice, and who do not sympathize in premature and harsh allegations that ought never to have been made. With regard, Sir, to the conduct of Her Majesty's Government in having issued a Commission of Inquiry into the massacres in Jamaica, I feel bound to say that I am not disposed to censure or find fault with them in that respect. I do think that they were somewhat premature in issuing that Commission, and that they would have done better, would have acted with more fairness and prudence, had they waited for further explanations from Governor Eyre, and for the real facts that occurred during these unhappy transactions. I own I am not free from the fear that Her Majesty's Ministers may have been unduly influenced by that scandalous scene that is said to have occurred in the Colonial Office between the Secretary for the Colonies and a deputation from the Anti-Slavery Society. But be this as it may, I think that sooner or later the Government must have been bound to issue a Commission to inquire into these unhappy matters. I am very glad, further, to bear my testimony to the fact that I think that the Government having decided to issue a Commission I doubt whether it was possible to exercise a better discretion in the selection of the persons who are to carry on that inquiry—I say I feel perfect confidence in the gentlemen selected, and I, for one, shall yield the utmost possible attention to their decision. I do not wish to detain the House, but having adverted to one paragraph of the Speech from the Throne that I think it was really right should be noticed by discussion, I will take leave to trespass upon the House for a few moments with reference to another subject of importance, Parliamentary Reform. I think I may add that, under all the circumstances in which that question stands, we have a right to expect from Her Majesty's Ministers some declaration upon the subject. I am not sure whether I may not say that the right is strengthened by what passed this evening. We should hear something, at least, in reference to this most important subject. During the recess—especially since the death of Lord Palmerston—this question of Parliamentary Reform has occupied rather an unusual degree of public attention. It has been made the subject of discussion at several public meetings, and of speeches from several hon. Members of this House of more or less political eminence. Some of the most remarkable of the speeches delivered on this subject of Parliamentary Reform were those which proceeded from the mouths of the hon. Member for Birmingham (Mr. Bright), and the hon. Member for Bradford (Mr. W. E. Forster). The hon. Member for Birmingham, in addressing various meetings on this subject of Reform, intimated very plainly, with great openness—and I think with great justice too—what he thought the minimum degree of the alteration of the franchise which could possibly be proposed by Her Majesty's Government. The hon. Member for Bradford also delivered a speech to his constituents on the same subject. He held very strong and decided language. The hon. Member for Bradford said—I am quoting from memory, but I believe correctly—that he thought it absolutely indispensable for Her Majesty's Government at the earliest possible moment after the meeting of Parliament to come forward with a comprehensive and satisfactory measure of Reform. The hon. Gentleman then proceeded to advise his friends and constituents on the course they ought to take under such circumstances. He told those who were in favour of the Reform Bill not to prepare a Bill themselves but to go to the Government, and tell them that they had pledged themselves as men never were pledged before—as men of honour—to legislation on this subject; and, being so, they (the constituents) would not insult them by supposing that they would bring forward anything but a comprehensive and satisfactory measure. Well, Sir, in the very same paper in which this speech was reported, I saw also announced the hon. Member's appointment to the office of Under Secretary to the Colonial Department. In what light, then, are we to regard the hon. Gentleman now? Are we to regard him as the ultra-reforming Member of Parliament, or as the meek and submissive Member of Her Majesty's Government with his teeth drawn? I beg to say with all sincerity that I do not intend to imply any disrespect to the hon. Member for Bradford. During his occupancy of his seat in this House, the hon. Member for Bradford, I am bound to say, has shown much ability and great familiarity with the many subjects on which he has spoken. The hon. Gentleman has also taken a manly and decided course of action, and I do not believe that the hon. Member has entered into any intentional compromise upon those questions in respect to which he has expressed strong and decided opinions. Well, I am not quite sure whether the hon. Member for Birmingham has not also joined Her Majesty's Government. If he has done so, his accession to office will complete the number of the happy family who now enjoy the sweets of office. If they are to be guided by the opinions of the hon. Members for Birmingham and Bradford, I am not quite sure but that it would be better that the hon. Member for Birmingham should be also a Member of the Government, in order that that hon. Member should bear his share of the responsibility of the measure of Reform to be introduced by Her Majesty's Government. This might have the possible effect of clipping the wings of the hon. Member for Birmingham. In addition to these facts, we have had a declaration from the Government that it is their intention to bring in a Reform Bill; and I think on one occasion the noble Earl at the head of the Government intimated a determination to stand or fall by that Bill. Under these circumstances, the Members of this House, and the public generally, naturally looked with the utmost anxiety and curiosity to Her Majesty's gracious Speech for an indication of the measure in question; and astonishment must have been very generally felt upon finding the terms in which the subject of Reform has been alluded to. The language of the Royal Speech is—

> "I have directed that information should be procured in reference to the rights of voting in the election of Members to serve in Parliament for counties, cities, and boroughs. When that information is complete, the attention of Parliament will be called to the result thus obtained, with a view to such improvements in the laws which regulate the rights of voting in the election of Members of the House of Commons, as may tend to strengthen our free institutions and conduce to the public welfare."

Now, I think we have a right to suppose that the information of Her Majesty's Government upon this subject was complete before the meeting of Parliament. But there is nothing whatever in the language of Her Majesty's Speech that can give us the slightest intimation of the time when the measure will be introduced, or enable us to judge whether the information required is to be given immediately, or to be postponed until next year. And there can be no doubt whatever that the intimation given us this evening by the right hon. Baronet the Secretary for the Home Department on this subject has contributed in no degree to remove the uncertainty that prevails as to the period when this measure of Reform will be introduced by Her Majesty's Government. Under these circumstances, I feel I am fully justified in making this inquiry as to what are the intentions of Her Majesty's Government. I do not think that this is a proper moment for a general discussion of Reform, or to enter into the question what that measure of Reform ought to be. I think, however, that this is a proper opportunity for expressing a strong opinion that this Reform question should not be dangled before the public for party purposes from year to year; but that we should know where we really stand, and what the intentions of Her Majesty's Government really are upon this subject. The information which we have this evening received does not appear to me to harmonize with the statements made by Members of Her Majesty's Government in other places; and, therefore, it becomes necessary that we should be informed by the Government what are really their intentions upon this most important question.

Mr. BRIGHT: Sir, I can assure the right hon. Gentleman that I do not feel in the slightest degree sore at the censure which he has just passed upon me with regard to observations which I have made upon the events which have taken place in Jamaica. I am a good deal used to the criticism of the right hon. Gentleman. In fact, I believe there is nothing which I have said anywhere — hardly anything which I have said in this House or in the country for the last twenty years—which the right hon. Gentleman has not found it necessary to condemn. I can assure him that he is very much mistaken if he supposes that I was actuated by any party feeling in anything which I said upon this distressing subject. If I had any party feeling, as the right hon. Gentleman interprets that phrase, I presume I should have been rather disposed to have said nothing that would be unpleasant to the Government and to the Administration, with whose general policy I hope to agree. The right hon. Gentleman might just as well be charged with having made a party attack upon me, standing, as he does, on the other side of the table, and cheered, as he has been, by the party of which he is one of the recognized leaders. But he charges me with having prejudged this question. Does he recollect that nearly every paper which advocates his politics in this country has been writing strongly in favour of Governor Eyre, and applauding the sanguinary transactions which have taken place in Jamaica? Does he know, further, that several speakers, well-known Members of his own party, have spoken at different meetings in the same sense? I did not prejudge Governor Eyre. I took Governor Eyre's own statement—and I said then what I repeat now—that there is not a Judge on the bench in the three kingdoms who will undertake to say, either in private or in public, that Mr. Gordon was not clearly murdered. The right hon. Gentleman, perhaps, desired further evidence. I was content to take Governor Eyre's own statement. If it had been the statement of some paper in Jamaica, or some paper in New York—as news from the West Indies often comes to this country by New York—I should not for one moment have thought of condemning Governor Eyre, or even of discussing his proceedings. But it was when I saw his own despatch of four-score paragraphs, written with the greatest deliberation and the greatest precision, in which he stated his own share in the transaction, that I condemned him; and I put it to the House (the country knows perfectly well) whether any evidence which has since been received has in the slightest degree lessened the gravity of the charge against Governor Eyre. I recollect in this House some years ago, when the noble Lord the Member for King's Lynn (Lord Stanley) sat here as Minister for India, that an hon. Friend of mine, the Member for Northampton (Mr. Gilpin), brought forward a case where an officer in the English army shot 500 Sepoys in cold blood. The noble Lord got up, not to defend it, for he knew that was impossible. He never in his life had—and he never will have in the course of his life—a more difficult and unpleasant undertaking than he had that evening, to appear to offer some sort of excuse for an atrocity unparalleled, I hope, in the history of Englishmen. There are persons in this country, many of them, who would have been glad that this matter could have been hushed up. They have not learned, after thirty years of Parliamentary legal freedom existing in Jamaica, to regard those unhappy negroes as subjects of the Queen of African descent. They were brought to that country not by their own consent. They or their forefathers had suffered every species of oppression and wrong; their cries finally ascended to Heaven, and the people of this country, outraged in their consciences by the continuance of that wrong, forced Parliament to give freedom to that black population. From the hour of their freedom until this hour it has been merely the freedom granted by Parliament. It has not been sanctioned and guaranteed by the Assembly and Government of that island, and there are now many persons in this country, I am satisfied—I grieve to say it, I think it is a hideous thing amongst us—who do not feel the same sense of wrong and injustice when anything like this happens if it be inflicted only upon those unfortunate "niggers," as they would if white men had suffered in a similar manner. Now, I regard every life among those men—and it is right I should so regard them, every man of them, before the law and before the sovereign authority of the Queen—as important as any life in this country or in this House—and it is idle to tell me that when I stand on a platform before thousands of my countrymen, when this great question is in the balance, I am to consider, because they are black, the lives of 2,000 subjects of the Queen as nothing in comparison with the feelings of Governor Eyre and his accomplices. I tell the right hon. Gentleman that it would want a very much stronger censure than his; and I tell those who sit behind him that it will want something more appalling than their cheers to keep me silent after the atrocities recently perpetrated in Jamaica. I believe, Sir, that at this moment there is not a civilized and Christian country in the world in which all thoughtful men are not directing their eyes to this country, to observe what will be the course of the Government on this question. I agree with the right hon. Gentleman that the Government was right in appointing the Commission, but not that they appointed it too soon. They delayed its appointment too long. I complained, in one of these speeches to which the right hon. Gentleman has referred, that my right hon. Friend the Colonial Secretary allowed three weeks to pass from the time when he read that despatch to the time when it was announced to the public that that Commission was to be issued. I have understood that there were reasons for that delay with which I was not then acquainted. I did not conceive for a moment that the Secretary of State for the Colonies was a man hard and cruel, and unmindful of the interests of those whose interests he has been appointed by the Queen specially to guard; and now when the Commission has been appointed, and when the circumstances have been before the public, I have no complaint to make of him or of the Government. I am content now, and leave the matter for the thorough examination of the Commission. I have no doubt that a thorough inquiry will be made and full justice done. There are others gone to that island from this country, Commissioners appointed by the public. Why, Sir, if such transactions as these could take place in the island of Jamaica, and there was no man to point a finger at them in this country, what might happen in all our other colonies and all the other dependencies of this wide Empire? And if law be not law to the negro in Jamaica, how long will law be law to the working people or to any of their friends in this country? I say, Sir, that the right hon. Gentleman has allowed, it may be, an official sympathy for Governor Eyre to weigh with him in this matter, and he has thought it necessary to give me notice that he would come down to the House and pronounce a solemn censure upon my conduct. I tell him that in all the public speeches I have ever made—and they are not a few, as the House knows—there are no passages in those speeches to which I will to my last hour more firmly adhere than to those which the right hon. Gentleman has commented upon. There is nothing in them that I have to condemn myself for—there is nothing in them that I retract—and if the same circumstances happened again, I would repeat those passages, and, if God gave me power, with a more burning indignation would I condemn atrocities which have cast a foul blot upon the character of English Governors.

Mr. MARSH said, that he was glad to hear the right hon. Gentleman (Sir John Pakington) bear testimony to the high character of Governor Eyre for moderation, justice, and humanity. He was glad that the right hon. Baronet had brought forward the subject, as he himself knew that Governor Eyre was remarkable for his kindness and humanity to the Natives of Australia. As to the question of Reform, he believed that no Bill would be passed that Session, and that it would be useless to bring one forward. For his own part, he was quite satisfied with the Bill of 1832, and with its marvellous results. Since the passing of that Bill a vast number of measures had been adopted by the House, calculated to improve the condition of the working man. At present, the taxation of the country was so arranged as to lean as lightly as possible on the working classes. While an income tax has been imposed on the upper and middle classes, the labouring man paid no taxes, with a few trifling exceptions, for what he ate, for the clothes which he wore, or for his house; and he was sure that the House was not about to stand still in the course on which it had entered. He believed that it would continue to do all in its power to forward the interests of the working classes. He was sure that every demand which those classes might make would be dealt with in a fair and liberal and generous spirit. He did hope that if a Reform Bill came before the House there would be no coquetting with such an important subject, but that hon. Gentlemen would fairly and fully speak their minds. For his own part, he would oppose any measure by which the present franchise would be lowered; he had seen the effects of democracy in Australia, and he hoped and trusted that England would not adopt a system which at the other side of the world had had such deplorable results. He could see no good result that could be effected by the introduction of such a measure, and if brought forward he could only again repeat that it should receive his most humble but determined opposition.

Mr. BUTLER-JOHNSTONE said, he congratulated the Government on the very modest position which the question of Reform occupied in Her Majesty's Speech. In common with the great mass of his countrymen, he had had some apprehensions with reference to the Reform question, and the manner in which Her Majesty's Government were likely to deal with it; but those apprehensions were in a great degree removed when he saw the distant and modest manner in which the matter was alluded to in the Speech from the Throne. He knew that men of experience and tried patriotism may have taken the place of the veteran statesman they had been accustomed to; but, at the same time, they feared that a shadow behind the Treasury Benches might prove fatal to them. Those apprehensions were not entirely groundless; for there were certain indications which led men to fear that the Members of Her Majesty's Government might drift into the arms of the hon. Member for Birmingham, and that the offspring of this union might be the ruin of the Constitution. The hon. Gentleman (Mr. Bright) had told the great Whig party that if they shrunk from this question of Reform they would become extinct. Now, he believed that the Whig party would become extinct—that a Whig in England would be as rare an animal as a wolf if that great party listened to the behests of the Member for Birmingham. He congratulated Her Majesty's Government on having received into its ranks so valuable an acquisition as the right hon. Gentleman the Member for London (Mr. Goschen); but, while he felicitated the Ministry, he should condole with the right hon. Gentleman himself. At a meeting in the City the other night the right hon. Gentleman seemed to consider it a case of very serious hardship that he was compelled to give up his occupation as a merchant, for a position so humble as that of a Cabinet Minister of England. Like the Lycian Prince—

> "When Glaucus of his judgment Jove deprived,
> His armour interchanging, gold for brass,
> A hundred oxen worth for that of nine,"

he might apply to him the epigram of Martial—

> "Tam stupidus nunquam nec tu, puto, Glauce, fuisti,
> Chalcea donanti Chrysea qui dederas."

As had already been remarked in the course of the debate, nothing more strongly showed the importance of the Session on which they were about entering than the fact that up to this only three of the topics touched on in the Queen's Speech had yet been discussed.

MR. CARDWELL: Sir, I can assure you that I have no desire to continue the discussion which has been raised with regard to Jamaica. The object which I have in view is identical with the course which Her Majesty's Government have endeavoured to pursue, and that has been, while insisting upon full inquiry into all matters which appeared to them to call for inquiry, to avoid prejudging any part of the question. I should ill fulfil that intention if I said anything which continued the discussion of the subject beyond the point to which it has been the pleasure of the House to entertain it. All, therefore, that I rise to say is, that like the right hon. Baronet opposite (Sir John Pakington), I have known Governor Eyre only by the reputation which he has obtained and preserved in the service of the Crown. When I first heard, by telegram through the United States, that these deplorable occurrences had taken place, I sent for the Governor of Barbadoes, who happened to be in this country, and asked whether he could give me any assistance in explaining what these transactions meant. His reply was, "I can give you no assistance in reading this enigma. But this I can tell you, that if the circumstances have been such as seriously to alarm Governor Eyre, they must have been circumstances of great moment." He went on to speak of Governor Eyre as a man of great courage and of great humanity. Although, therefore, I feel it my bounden duty to say nothing which shall prejudge the question, either in his favour or against him, I do think it right, in the meanwhile, to state what is a fact in the case, and that the knowledge of the reputation which he has heretofore borne should not be kept back from the House. The course which the Government have pursued has been spoken of both by the right hon. Baronet and by my hon. Friend the Member for Birmingham, but there is nothing that has fallen from them which I think calls for any reply or remark from me. They agree on the main in approving the course which was pursued by the Government, though the right hon. Baronet thinks we were too precipitate, and my hon. Friend thinks we were not quite rapid enough. I am willing not to enter on that part of the question, but to leave it to the future consideration and judgment of the House. There is one point, however, on which I wish to set the right hon. Baronet right. He says—what has frequently been said—that he feared too much influence had been exercised, and that in the course which we pursued pressure had been put upon us particularly by a certain deputation to which he took occasion to refer. Now, the fact is that when that deputation waited on my noble Friend, who was not able to be present, and was received by me, Sir Henry Storks was at that moment on his way from Malta to this country, having received from me an intimation of the purpose for which he was sent for to this country, and of the appointment which has been so much canvassed.

SIR GEORGE GREY: One word before the Question is put. In reference to the construction which the right hon. Baronet the Member for Droitwich has placed upon an answer given by me to a question on the subject of Reform, it certainly never was the construction which I intended it should bear. The right hon. Baronet said it was very undesirable—and I entirely agree with him—that the question should be kept dangling before the House and the country as a party question from year to year; and I think he said the answer which I had given left it in complete uncertainty whether the Bill founded on the information to be obtained would be presented in the course of the present or of the next year. I certainly intended to give rise to no such uncertainty. What I intended to say, if I did not say it, was that until the day for the introduction of the Bill was fixed, and until the Government were in a condition to lay the information on which that Bill would be founded before the House, it was impossible to say what the interval would be. As to the general principles of the Bill the Government are agreed; but as to its details the Government cannot, of course, lay them before the House until the information on which they are acting is complete. Of course, if that information had been complete when Parliament met the paragraph in Her Majesty's Speech from the Throne would have been in different terms. That paragraph pledges the Government to communicate the information when complete to the House. It is intended to express—and does, I think, clearly express—the intention of the Government at the earliest period at which they can do so to lay a Bill before the House founded on that information.

Mr. T. B. POTTER said, he had taken part in the great meeting held in Manchester on the subject of the Jamaica massacre. The antecedents of Governor Eyre were laid most fully before that meeting, and every credit was given to him for his conduct when he was in Australia. All that the meeting asked was for investigation, and the deputation to Earl Russell, of which he had the honour to be a member, preferred the same request. They judged Governor Eyre purely by the evidence contained in his own despatches. The meeting wished to do nothing condemnatory of him; they merely wished that the name of England might be vindicated from what they considered a blot on the national escutcheon.

Mr. BOUVERIE: It is quite clear, from the very oracular and mystical paragraph which closes Her Majesty's Speech, that there is to be a Reform Bill. That fact, at any rate, seems to be established. But as the information is not complete on which that Reform Bill is to be founded, I presume that Her Majesty's Government have not completely made up their minds as to what the nature of that Reform Bill is to be. Taking that to be the case, we had two glimmerings of light thrown upon this subject in the course of the last week. The noble Lord at the head of the Government (Earl Russell) stated in another place that this Bill would be brought before Parliament before the Easter vacation—I think he said he hoped before the end of the month. He has also stated, on another public occasion, that by that measure his Government intended to stand or fall. Now, that appears to me to be a sound and proper resolution. There has been a great deal too much paltering with this question. But what I am anxious about, and the point which I wish to urge on the consideration of Her Majesty's Government, is this:—If the measure is to be one by which they are to stand or fall, by which the fate of the Liberal Ministry and by which the domination of the Liberal party in the politics of this country for some time to come is to be determined, it should be a measure which will be worth standing or falling by. Now, there is some reason to suppose, from rumours and from utterances out of this House, that this measure—incomplete as it is declared to be by my right hon. Friend (the Secretary of State)—is simply to be a measure for the lowering the franchise in boroughs and counties. On behalf of a great portion of the Liberal party in this country—and I think of no insignificant portion of the Liberal party in this House—I venture to say that such a measure would not be a satisfactory adjustment of the great question of Parliamentary Reform. I feel satisfied the great body of earnest Reformers in this country are convinced, that one of the principal evils of the existing state of things with which they must grapple is the distribution of political power in this country. None of us—if I except some extreme theoretical politicians—wish to see political power simply distributed in this country according to heads of population; but we all know that there are in existence a number of wretched boroughs, which, for some reason or other, were retained at the time of the Reform Act, but which ought now no longer to be retained. These are either purely nomination boroughs, or else what are still worse — boroughs known to be the sinks of corruption. I say no Reform Bill will be satisfactory to the people of this country unless it attempts to grapple with this evil. But it is not the mere question of the existence of these small nomination and corrupt boroughs—there is at the bottom of this question something much more important, and that is the question of the distribution of political power in this country. Those who look at the present state of that distribution, and see where the weight of the representation lies, will perceive that where the wealth, the industry, the activity, the intelligence, and the ability of the United Kingdom lie, the weight and preponderance of the representation are not be found. I see at the bottom of this desire for Reform—particularly with the middle classes, with the manufacturing, shipbuilding, mining, and industrial classes—the people who make the greatness of this country—I see that much of their dissatisfaction arises from the fact, that the preponderance of political power is not in accordance with the industry, the intelligence, and the wealth of the nation, but is distributed according to some method which in old times was in harmony with these things, but has long ceased to be so. Take the county with which I am most intimately connected by property and residence—Wilts. There are returned from that county and its boroughs eighteen Members—exactly the same number, I believe, returned by South Lancashire, which contains more than five times its population, and to which it cannot for a moment be compared in respect of wealth, activity, and energy. Great as is the regard which I entertain for my native county, nobody could say if the two districts were compared that the representation of South Lancashire ought not vastly to exceed that of Wilts. Take, for another example, the part of the country with which I am politically connected—the county of Ayr? It is populous, wealthy, active, and industrious—industrious in all respects that make Great Britain what she is; it has a thriving population busily engaged in mining, shipbuilding, manufacturing, ploughing, delving, and weaving; and what is the representation of Ayr? It has one county Member, the one-fifth of one borough Member, and two-fifths of another borough Member, or an aggregate of one Member and three-fifths. Well, I say that these anomalies, if there be a Reform Bill, must be grappled and dealt with. And this consideration must be borne in mind—that if you are going to lower the county franchise to £10 or £15, unless there shall be a new distribution of power as between the occupiers of houses and the owners of land, you will throw the whole power into the hands of the householders, and deprive the landed proprietors of that weight in the country which hitherto they have possessed, as representing property. I am not going to discuss the Reform Bill before it is laid on the table, but while there is a chance—while the measure may not be yet settled—while the information is incomplete on which it is to be founded, I wish to urge this on Her Majesty's Government—that if they make their attempt with what the late Member for Huddersfield (Mr. Leatham) called "a single-barrelled Reform Bill," they will be defeated, and they will only perpetuate the evils which they seek to remedy. This will be the result if they shall listen unwisely to the charming of my hon. Friend the Member for Birmingham (Mr. Bright), who, if I understand his utterances out of doors, has endeavoured to persuade his countrymen that it is desirable to take a one-barrelled Bill rather than wait for a reform of all the electoral abuses now complained of. I think we ought to do this thing *en masse* and in the whole, and not bit by bit. It may suit my hon. Friend the Member for Birmingham, for whom I have a great respect and regard—to profess admiration for his ability would be on my part simply impertinent—loving, as he appears to do, public appearances and platform oratory—it may suit him to keep this subject alive, for if the Bill were a one-barrelled Bill, he would still have one barrel left to load if he pleased and to discharge in this House; but this is exactly what does not suit the country, and will not suit this House. Let me assure my hon. Friend and the Government that the desire of the people of this country will be to have this question settled and done with, and not kept up as a source of uneasiness and discontent, preventing the introduction of other measures—measures for the improvement of the condition of our countrymen, which it is the duty of Parliament to pass, and which, after all, it is the whole object of those constitutional arrangements to promote. Therefore, I emphatically say—and I am sure I speak the sentiments of a great many in this House and out of it when I say so—that if the Government introduced such a measure as it is supposed they contemplate, not only will their Bill not be satisfactory—not only will it not receive the general support of the country, but they will make a shipwreck of the opportunity, now within their reach, if they seize it, of settling for the present century the question of Reform.

SIR HENRY HOARE claimed the indulgence of the House, whilst addressing a few observations to them for the first time. While deprecating the idea that he was about to prejudge or impugn the scheme of the Government, he desired to say that he cordially agreed with the right hon. Gentleman the Member for Kilmarnock (Mr. E. P. Bouverie) in what he had said with respect to no measure of Reform being satisfactory which did not present, at least for the present time, some prospect of finality. It was, however, to be feared from what they had heard, that the measure of the Government was one borrowed from the archives of the hon. Member for Birmingham. Whatever the Reform Bill might be he (Sir Henry Hoare) hoped it would not be such an one as would serve as a stepping-stone to future arrangements of a revolutionary character. He should be prepared to vote for such an alteration in the franchise as would admit a large accession of intellect and honesty; but not for such an one as would allow the influence of property to be outweighed by numbers. There were in that House a majority of sixty or seventy Members returned at the last general election to support the late Prime Minister, and it might be supposed that those hon. Gentlemen would remember the injunction, *Nimium ne crede colori*—that they would not follow blindly in the wake, or support the propositions of the Minister of the day. A great and eminent man, the late Sir George Lewis, when speaking some four or five years ago observed that it was the duty of the Minister who proposed a Reform Bill to adduce the evils which he sought to remedy, and to show that the remedy he suggested was likely to be attended with the results which it was intended to bring about. In framing a Reform Bill, population, intelligence, and property should be combined, and he must say that, in his opinion, the important agricultural counties had a right to look for increased representation.

Mr. NEATE said, he concurred in the belief that the question of Reform would not have been satisfactorily settled until there was a re-distribution of seats, and an extinction of a considerable number of the smaller boroughs. Whether the measures for a complete Parliamentary Reform should all be brought in at one time was, however, quite another question. He thought the Ministry were acting rightly if they separated the question of an extension of the franchise from that of its re-distribution; because, before Parliament proceeded to re-distribute the franchise it ought to know what the increase of the constituencies would be. Again, he thought it would be well to have a separate measure for the counties and a separate one for the boroughs. The county franchise was different in important respects from that of the boroughs; and a man might be inclined to vote for the extension of the one though being of opinion that there was no necessity for an extension of the other. Such a person might vote against the second reading of a Bill embracing the extension of the two. Sir Francis Baring once announced in the House that it would be most convenient to deal separately with the two branches of the great question of Reform. He quite concurred in that opinion, and, indeed, he thought it might be beneficial to subdivide the question even to a greater extent.

Mr. P. A. TAYLOR agreed entirely with what had been said by previous speakers with regard to the unsatisfactory character of any Bill which should deal with the franchise only, and leave to the future the question of the re-distribution of seats. In his opinion, the coming Bill should be large enough to settle the question for some years to come. He quite admitted that there was an inconsistency in bringing in one Bill which should lower the franchise in certain boroughs and another which should deprive them of representation altogether; but he endorsed the opinion of the hon. Member for Birmingham, that the people who had waited so long and so patiently for Reform should be content with any step that was definite and positive, and not wait for any Utopian scheme of perfect Reform. He did not believe that any Bill dealing with the franchise only would be entirely satisfactory; but he would accept it, because he believed, with the hon. Member for Birmingham, that in the present constitution of the House it would be impossible to carry one of a more satisfactory character. There were, unfortunately, on our side of the House a number of men calling themselves Liberals, but who talked mere Toryism, and contended that legislation should be "for the people, not by the people." Again, there were Gentlemen on the opposite Benches who were unwilling to sacrifice the seats of nomination boroughs, or boroughs of corruption. He had no doubt that the hon. Member for Birmingham had been agreeably surprised at the exhibition of sentiment which had been made in the House that evening, every speaker having tacitly implied that there was a necessity for a Reform Bill, and that a Reform Bill, to be worthy of the acceptance of the House, must be a comprehensive and searching measure, and deal not only with the suffrage, but also the re-distribution of seats.

Address *agreed to;* to be *presented* by Privy Councillors.

SAVINGS BANKS AND POST OFFICE SAVINGS BANK ACTS.—REPORT.

Resolution [Feb. 8] *reported.*

MR. AYRTON asked the right hon. Gentleman the Chancellor of the Exchequer whether he had any objection to lay upon the table the accounts relating to Post Office savings banks in a somewhat more satisfactory form than that in which they were now given. They appeared to show a profit of £40,000, whereas, in fact, there was a loss to that amount; for, as he understood the accounts, it appeared that the whole of the annuities and interest received from year to year was credited as income, while nothing was deducted for the depreciation of those annuities, which were terminable, and would soon come to an end. If, however, the amount of that depreciation, which was estimated at £80,000, was placed against the apparent profit, it would show a loss, instead of a profit, of £40,000. It was extremely to be regretted that the accounts were made up in such a manner that there should be room for misapprehension. Certainly, they were not presented to the House in the form adopted by joint-stock banks and other institutions which carry on business of a similar kind. It was necessary that there should be placed upon the table a proper annual account of profit and loss. Unless hon. Members saw that all charges and deductions were fairly set off against the income, they would be unable to ascertain the amount of profit and loss. He was anxious that the right hon. Gentleman should take into consideration the expediency of remodelling the form in which these accounts were presented.

MR. HENLEY hoped that when the Bill had been brought in a reasonable time would be allowed to elapse after it was printed, so that Members might have a fair opportunity of considering it before the second reading. The matter was in some of its parts very technical.

THE CHANCELLOR OF THE EXCHEQUER: I am always desirous to bring forward Bills of this nature, which I have no reason to suppose would call forth much criticism, before the business of Parliament becomes crowded. What I will do is this. I will have the Bills printed, naming rather an early day for the second reading. The Bills are short, and the right hon. Gentleman will have an opportunity of looking at them; and if, on looking at them, he should think it desirable that more time should be given, I will accede to any opinion he may express on the subject. With regard to the Question put by the hon. and learned Member for the Tower Hamlets, I am not sure that I distinctly gather the precise nature of his objection to the form of the accounts, because not having that form before me I cannot lay my finger on any particular part of it, and therefore I cannot say absolutely what is my judgment as to any power of presenting the accounts in a different form. In point of fact, there will always be certain facts open to discussion with respect to funds which are represented in the form of Government Annuities; and, perhaps, there will be more room for discussions of that kind in proportion as we convert perpetual annuities into terminable annuities, because terminable annuities are not commodities suited for immediate conversion except at an unfavourable rate of interest. That consideration has hitherto prevented the Government and Parliament from attempting any large conversion of the National Debt into the form of terminable annuities. Now that we are becoming recipients on a larger scale of the savings of the people, it does seem convenient to apply more extensively this system of converting perpetual into terminable annuities. At any rate, I wish it to be understood, and borne in mind by the House, that it introduces elements of difficulty with regard to the precise computation of the value of a commodity which can only be brought into the market on unfavourable terms. It may be laid down as a principle that we should never convert into terminable any perpetual annuities, which we may be called upon to replace to meet our obligations. With respect to the expense of Post Office savings banks, I have no hesitation in expressing perfect confidence, that an investigation of figures, on a fair and just valuation of the assets of the National Debt Commissioners, and the Government savings banks, will show, notwithstanding the extensive security required, and the large number of branches all through the country, everyone of which is, in point of fact, an agency for the central Post Office in London, that we are a perfectly solvent concern. We do not seek to make, and it would not be right to aim at making, a profit; what we do aim at is to give the depositing public every possible facility, and the State absolute security. With respect to the precise forms in which the accounts are now laid before the House, if the hon. and learned Member will kindly suggest to me the points which he thinks are weak and require explanation, I will take an opportunity of attending to them.

Resolution *agreed to.*

Bill *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER and Mr. CHILDERS.

PUBLIC ACCOUNTS.

Select Committee of Public Accounts *nominated*:—Mr. WALPOLE, Mr. BOUVERIE, Sir STAFFORD NORTHCOTE, Lord ROBERT MONTAGU, Mr. HOWES, Mr. POLLARD-URQUHART, Mr. LAING, Mr. HANKEY, and Mr. CHILDERS.

House adjourned at a quarter before Seven o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 12, 1866.

MINUTES.]—Several Lords took the Oath.

RAILWAY COMPANIES' BORROWING POWERS.—QUESTION.

THE EARL OF BELMORE, in rising to ask Her Majesty's Government whether it was the intention of the President of the Board of Trade to introduce during the present Session any measure to give effect to the recommendations of the Select Committee of that House (1864) on the subject of Railway Companies borrowing powers, said, the subject was one which, though not of any great popular interest, was nevertheless of considerable importance, and he desired to bring to their Lordships' recollection what had already taken place concerning this matter during the last three Sessions. In the Session of 1863, a noble Earl (the Earl of Donoughmore), who was unfortunately too unwell to be present that evening, brought to the notice of their Lordships the Special Report and Evidence on the West Hartlepool Harbour and Railway Bill, by which it appeared that the directors of that company had greatly exceeded their borrowing powers; and a Select Committee was appointed by their Lordships

> "To inquire and report as to what legislative measures are desirable for the purpose of restraining the directors of railway companies from exceeding the limits of the borrowing powers fixed by their Act of Parliament."

The Committee which sat in two Sessions, made two Reports, to the effect, that it was very desirable that railway companies should be compelled to make annual returns to some public officer, and that there should be a system of compulsory registration of railway obligations. As the Government did not take up the matter, and his noble Friend was prevented from following up the subject, he (the Earl of Belmore) took the liberty last Session, at the suggestion of his noble Friend, of introducing a Bill (the Railway Debentures, &c., Registry Bill), embodying the recommendations of the Commissioners. That Bill passed their Lordships' House, but went down to the Commons late in the Session, and was withdrawn after a first reading, as it was felt, notwithstanding that it had met with the approval of the then Lord Chancellor, who had added an important Amendment obliging companies to register all their obligations, that it would receive severe opposition from the powerful railway interest in the House of Commons. The objections were very fairly stated in a newspaper which devoted itself to financial questions. They were four in number. In the first place, it was said that a system of compulsory registration would give to railway debentures and obligations an apparent validity which they did not intrinsically possess, and that the registrar whom the Bill proposed to intrust with receiving the annual returns and registering the bonds could not possibly ascertain whether any bonds submitted to him were or were not within the limits of the borrowing powers of the company presenting them. All, however, that his Bill proposed to do was exactly what had been done for the last 150 years with regard to the registration of deeds relating to land in Ireland; every deed had to be registered in the Rolls Office in Dublin, and the deed took priority according to the date of registration. That was precisely what he had proposed to do with regard to the registration of railway obligations, and registration would no more make the debenture valid than would the registration of a false deed in Ireland make it a good one. The only object of his Bill was to show the numbers and amount of the securities issued by the company, so that proposing lenders might be able to ascertain what was in priority to them. The second objection was that the Bill would take from the directors of railway companies the sense of responsibility which they were now supposed to possess; but the writer himself went on to say that he knew something of the borrowing operations of railway companies, and that directors often did not know the extent of their responsibilities, and the same objection might be urged against any Bill proposing to restrict the powers of railway companies. The third point was that the Bill if carried would interfere with the proper conduct of business. He would be the last to propose anything which would interfere with the action of railway companies in conducting their business, or obstruct trade in any way; but he was of opinion that the increased value of their securities would have gained if the proposed Bill had become law, would have more than compensated them for any minor inconvenience they would suffer. The fourth objection was that these debentures would take a priority over other debts to which they were not entitled, and which the shareholders had never supposed that they possessed. The law provided, however, that certain borrowing powers should not be exceeded, and it might fairly be presumed to have been the intention of Legislature that those who lent their money under the several Acts were entitled to priority over other obligations. He believed it had been decided that the holder of Lloyds' bonds, so long as they were *bonâ fide*, that was to say given in payment for work done, could enter an execution against all the effects of a railway company. The whole subject was a matter of great importance, so much so that he thought it should not be taken up by a private Member of their Lordships' House, and he hoped he should hear from the Government that the President of the Board of Trade intended to introduce a Bill on the subject, and the more so, because he understood that when the Registry Bill was in the House of Commons last Session, the President of the Board of Trade had (he did not say in his plan, because there was no discussion on the Bill), informed the noble Lord who had charge of it in that House that he should probably deal with the subject. He would now ask, Whether it is the Intention of the President of the Board of Trade to introduce, during the present Session, any Measure to give effect to the Recommendation of the Select Committee of this House (1864) on "Railway Companies' Borrowing Powers;" and 2, Whether, if such a Measure should be introduced, it would be framed so as to meet the Case of the Obligations of Joint Stock Companies generally?

EARL RUSSELL was understood to say that he had consulted his right hon. Friend the President of the Board of Trade, who had informed him that he was engaged upon the subject, but was not prepared to say that he would at present bring in any measure dealing with it this Session.

LORD OVERSTONE said, he regretted to hear the answer which had just been given by the noble Earl at the head of the Government upon that subject. By the Legislature of the country power was given to railway companies to borrow, under certain conditions, large sums of money on the security of their bonds. But the investors in the bonds had no means of verifying whether or not those conditions had been complied with, and, consequently, whether the security thus offered was not utterly worthless. That was not a mere theoretical objection. It was one which had actually been realized upon several remarkable occasions. If he was not mistaken, even since the question had last been under the consideration of their Lordships an important case had arisen, in which a great company had gone far beyond its legal power of borrowing, and the directors had defended their conduct by alleging that they were driven by pressure to adopt the course they had followed. They were under an obligation at a certain period to meet a large amount of claims on them, whatever might then be the state of the money market, and they thought it desirable to raise money beforehand in an easy state of the money market, so that they might be prepared to meet their engagements. Fresh bonds were accordingly issued beyond their legal powers; and upon that a serious question might arise whether the security had not thus been invalidated. Under these circumstances, it was reasonable that the public should look to the Legislature to afford them the means of exercising that precaution with regard to the validity of those securities which the Legislature itself had made necessary. They had had a Committee of that House sitting upon the subject; that Committee had examined witnesses, who represented some of the largest railways in the kingdom, and those witnesses made no objection to the adoption of such a measure as that suggested by the noble Earl opposite (the Earl of Belmore); but, on the contrary, they expressed themselves ready to welcome it. They had also had before them the solicitor to the Bank of England, which establishment is supposed to be a large investor in those securities, and he had expressed a similar opinion. The Committee themselves were all but unanimous in favour of the proposal, the only dissentient being the noble Earl the President of the Council. He hoped that the attention of the President of the Board of Trade would be directed in a more serious and earnest manner to the matter, and that he would be prepared to grapple with its difficulties before the conclusion of the present Session. He was certainly sorry that a more satisfactory answer had not been returned by the noble Earl.

THE MARQUESS OF LANSDOWNE said, he wished to express his belief that a measure of the kind suggested by the noble Earl (the Earl of Belmore) would not be injurious to any company that conducted its business upon legitimate principles.

THE BRITISH MUSEUM.—QUESTION.

LORD HOUGHTON rose to ask Her Majesty's Government, Whether they intend to introduce any measure respecting the administration of the British Museum and the disposition of its contents? He was induced to put the Question in consequence of two events which had lately occurred. One of these was the resignation of the Principal Librarian of the British Museum, who was really at the head of the whole of that establishment, and was the life and soul of its administration. That resignation, he believed, had taken place several months ago, and yet the vacancy had not been filled up. The other consideration by which he was influenced was the existence of a rumour that certain proposals had been made by the Government to the Trustees of the Museum for a change in their constitution, but which had not been accepted. With regard to the first of these points, he should say that the resignation of Mr. Panizzi must of itself lead to considerable changes in the constitution of the British Museum. When that gentleman was appointed to his office, several years ago, he (Lord Houghton) called attention to that appointment in the other House, and he did so because, notwithstanding the respect which he entertained for the character and abilities of Mr. Panizzi, he thought that in the present dearth of honours and emoluments for literary men in this country such an office ought to have been conferred by Her Majesty's Government on some gentleman not of foreign extraction. He still adhered to that opinion, although he believed that the administration of that gentleman had been one of considerable efficiency. He was also aware that a great deal of heart-burning and discontent had prevailed among the officers of the establishment during the period of his administration, and that his resignation was not regretted by those gentlemen. The question of appointing his successor could not be much longer delayed, and he hoped that among the officers of the establishment some gentleman would be found for the office in whom the country would place confidence. He believed that the delay in filling up the vacancy had been caused by some distrust in the present administration and constitution of the British Museum. The question had not only been frequently discussed in the other House, but scarcely any question had been discussed with so much unfairness and injustice to individuals. In 1847, a Commission, on which he himself had the honour of being appointed, went into the subject at great length, but he could only regret that their labours had been futile, and that no action had been taken by the Government upon their recommendations. That Commission proposed that a Chairman, a person of distinction—should be appointed by the Crown, four members should be elected by the Trustees from among themselves, and two members should be paid by the Government, one of them being a man of high literary, and the other of high scientific attainments. He should add, however, that he believed those suggestions would at present require considerable modification in consequence of the great additions which had of late years been made to the establishment. He thought that a fair trial had been given to the present constitution of the British Museum; he also believed that there could not be a body of men more honourable or more desirous of doing good service to the literature and science of the country than the present Trustees; and if the constitution of the Museum was still unpopular, it was only natural to suppose that the time had come for effecting in it some alteration. The noble Lord concluded by asking Her Majesty's Government, Whether they intend to introduce any Measure respecting the

Administration of the British Museum and the Disposition of its Contents?

Earl RUSSELL could only say, in answer to the noble Lord, that he had a short time since made certain suggestions to the Trustees of the British Museum, which he thought would conduce to the better conduct of the establishment; but the Trustees themselves did not think it desirable that those proposals should be adopted, and they had declined to carry them into effect. No regular official communication had passed upon the subject, and he would rather not enter further into the details of the question. As matters at present stood it was not the intention of the Government to introduce any measure of the kind to which his noble Friend had referred. With regard to the appointment of Mr. Panizzi, to which the noble Lord had referred, he believed that it was a wise appointment. He was a man of great ability and acquirements, and had conducted the affairs of the Museum, as far as they belonged to his department, under the direction of the Trustees, very much to his own credit and to the advantage of the public. He had been obliged to tender his resignation in consequence of the state of his health; that resignation had been accepted, and he (Earl Russell) believed that very little delay would now elapse in the appointment of his successor.

Lord TAUNTON said, he scarcely thought it consistent with the famed hospitality of this country to object to a gentleman of ability on the ground that he was a foreigner. Although a Trustee of the British Museum, he was by no means wedded to its present system of management. Having regard to the enormous magnitude of the collections and the difficulty of arranging them, and the likelihood of that difficulty being increased by the scientific researches in contemplation, it might become necessary to consider whether the affairs of the British Museum might not be managed more efficiently than they were at present, and he had no doubt that some important alterations might be advantageously introduced. He might add that it was not the fault of the Trustees that sufficient space was not provided for their various collections, and that the difficulty in that case arose from the fact that the House of Commons refused to grant the necessary supplies for the purpose. Any changes to be made must be dealt with in a large spirit and must embrace the whole administration of the Museum.

Earl STANHOPE said, he also desired to bear his testimony to the great merits and services of Mr. Panizzi. He thought it was impossible for any man to have applied himself to the duties of his office with more zeal, more ability, and more unremitting attention than that gentleman had done. He should add that he could not but think that in the selection of such an officer all that the Government had to do was to look out for the most competent person, and that the fact of a man being a foreigner ought to be no reason for not accepting his services.

Lord HOUGHTON said, he did not call in question the merits of Mr. Panizzi, but he still thought that the appointment ought not to have been given to a foreigner. It had been said by a celebrated Frenchman that a Government that attempted to appoint a foreigner to the management of the Bibliothèque Impérial at Paris could not stand for a day.

Earl STANHOPE inquired whether the noble Lord wished them to suppose that the management of the Bibliothèque Impérial was a perfect model of liberal administration?

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS.

Monday, February 12, 1866.

MINUTES.]—Select Committee—On Standing Orders *nominated* (*List of Committee*); Committee of Selection *nominated* (*List of Committee*); On Public Petitions *appointed* (*List of Committee*).

Public Bills—*Resolutions in Committee*—Cattle Diseases; Cattle Plague.

Ordered — Cattle Diseases; Cattle Plague*; Pensions; Labouring Classes' Dwellings; Public Offices Site.

First Reading—Cattle Diseases [6]; Pensions [8]; Labouring Classes' Dwellings [9]; Cattle Plague* [7]; Public Offices (Site) [10].

STANDING ORDERS.

Select Committee on Standing Orders *nominated*:—Colonel Wilson Patten, Mr. Bonham-Carter, Mr. Dunlop, Mr. Edward Egerton, Mr. Gregory, Mr. Henley, Mr. Hankey, Lord Hotham, Mr. Lefroy, and Mr. Walpole.

COMMITTEE OF SELECTION.

Colonel WILSON PATTEN moved that the Committee of Selection consist of the following Members:—Mr. Bonham-

Carter, Mr. Dunlop, Mr. Gregory, Lord Hotham, Mr. Mowbray, and the Chairman of the Select Committee on Standing Orders.

MR. SCOURFIELD said, it was generally admitted that the present power was insufficient to cope with the private business of the House. There were two modes by either of which the difficulty might be met. One was, strengthening the machinery; the other, lessening the amount of the work. He was of opinion that the private business had increased in consequence of the Rules of the House not having been strictly observed. If hon. Members examined the Bills now being promoted, they would find that a number of them were continuance Bills; they would find that Bills had been granted to parties who were unable to carry them out; and they would also find that Bills were being promoted this Session to repeal parts of Bills passed last Session. A recurrence of such a state of things might be prevented in a great measure if the rules relating to private Bills were rigidly enforced. If the House did not agree with him as to the expediency of applying that remedy, there was the alternative of more powerful machinery. He thought the matter was one deserving the attention of his hon. and gallant Friend (Colonel Wilson Patten) and of the House.

COLONEL WILSON PATTEN observed, that it was quite impossible to look at the list of Private Bills before the House without feeling that, in the present Session, there would be very great difficulty in dealing with private business. He did not think they should take any other than the usual course in proceeding with the Bills; but, seeing that there were 633 Private Bills to be disposed of, he thought it was for the Speaker's consideration whether one Court before which these Bills came ought not to be strengthened—he alluded to the Court of Referees. He believed it must be admitted that this Court had saved the time of hon. Members during last Session; and as there were at present in the House nearly 200 Members inexperienced in the transaction of private business, he asked whether a second Court of Referees ought not to be appointed to sit at the same time with the other. It was customary with the Committee of Selection to send out circulars inquiring of hon. Members at what period of the Session it would be most convenient for them to give their services on Committees. He would request of hon. Members to send in their

replies to those circulars at the earliest possible time.

MR. WALPOLE said, he could not but think that the suggestion of the hon. and gallant Gentleman was well worthy of consideration, regard being had to the state of the private business. He must say, however, that increasing the numbers of the Referees would be virtually doing that which, though it had been more than once recommended, the House had not sanctioned—namely, taking the Private Bills out of the hands of the House. If this should be done, and those Bills handed over to other tribunals, he thought there ought to be a more general measure. He thought that during the present Session they must go on as usual; but the matter ought to be attentively considered in time for next Session.

MR. SANDFORD said, he must remind the House that with the view of facilitating the despatch of private business the number of Members on Committees had been reduced last Session.

ADMIRAL DUNCOMBE said, that he, for one, thought that the House was fully competent to discharge its own business. Last Session he was so struck with the alarm expressed on the subject of Private Bills that he went to his hon. and gallant Friend (Colonel Wilson Patten) and said that, in order to facilitate business, he was ready to serve twice during the Session; but instead of any such additional service having been required of him, he had not been called upon to serve even once.

Motion *agreed to.*

Committee of Selection *nominated:*—Mr. BONHAM-CARTER, Mr. DUNLOP, Mr. GREGORY, Lord HOTHAM, Mr. MOWBRAY, and the Chairman of the Select Committee on Standing Orders.

LICENSING OF THEATRES.

OBSERVATIONS.

MR. LOCKE asked the Secretary of State for the Home Department, Whether his attention has been directed to the present state of the Law as to the Licensing of Theatres and other places of amusement in the Metropolis, and whether it is his intention to bring in a Bill on the subject?

SIR GEORGE GREY said, that his attention had been called to the subject, which was a very complicated one—the more so because the law rested upon old statutes, which, to a certain extent, had become obsolete. His hon. Friend the Under Secretary for the Home Department intended to move that a Select Committee be appointed to inquire into the law before any proposal was laid before the House on the subject. That Motion his hon. Friend would make on an early day.

THE POOR IN THE METROPOLIS.

QUESTION.

VISCOUNT CRANBOURNE asked the President of the Poor Law Board, Whether it is his intention to introduce any measure for more effectually securing the execution of the Laws relating to the Poor in the Metropolis?

MR. C. P. VILLIERS: In answer to the inquiry of the noble Lord, I beg to say that it is my intention to introduce a measure for more effectually securing the execution of the laws relating to the relief of the poor in the metropolis, and that this measure will be substantially based on the Report of the Select Committee appointed by the last Parliament to inquire into this matter.

THE SUEZ CANAL.—QUESTION.

MR. SANDFORD asked the Under Secretary of State for Foreign Affairs, Whether the award of the Emperor of the French in the affairs of the Suez Canal has been definitely accepted; and, if so, whether Her Majesty's Government adhered to that award, and whether they will lay the papers relating to it upon the table of the House?

MR. LAYARD: In reply to the Question of my hon. Friend, I have to state that the award of the Emperor is not yet complete. Certain inquiries have yet to be made, aided by a Commission appointed by the Turkish, Egyptian, and French Governments, and the Suez Canal Company. Those Commissioners are engaged in their inquiries; and when those inquiries are completed, I shall be in a better position to speak on the subject.

KING'S COUNTY RETURN.

OBSERVATIONS.

MR. AYRTON: I claim the attention of the House for a short time whilst I bring under its attention a question which concerns most deeply not only the privileges of the House in its collective capacity, but also the rights and privileges of individuals elected to sit in this House. I believe that there is some misapprehension in the minds of some hon. Members as to the case which I desire to submit to the judgment of the House, and therefore I will state what is my view of the privileges that I think have been grievously violated on the present occasion. From the earliest time the House has always claimed, and for two centuries at least, has exercised, the most complete power over every question affecting the election of Members of this House, whether those questions affect the rights of voters, the conduct of returning officers, or any transaction connected with the election itself; and it has always claimed and exercised the right of determining as to the position of any Gentleman sitting in this House and of any person claiming to be a Member. But these rights and privileges are of a twofold kind. There is the right of the House itself to vindicate its own privileges and the privileges of its Members, which it has exercised upon the Motion or suggestion of a Member of the House. And there is also another right—namely, that of individuals who consider themselves aggrieved, and who have always enjoyed the power of petitioning the House to complain of any mistake or error in an election. Such petitions have always been treated like a suit in a law court—examined and decided upon by the House as a court of justice. It is obvious that these two powers are necessarily separate and distinct. The one has been asserted by the House for the maintenance of its own rights, and the other has been asserted by individuals for the vindication of theirs. It was, however, found that so much inconvenience arose from the House in its collective capacity acting as a judicial tribunal, that it became necessary a century ago to transfer that power of adjudicating upon petitions to special Committees selected for the purpose, who proceed according to the provisions of the statute then in use. This procedure has continued with some modifications from that day to the present time. I think it was in 1848 that the law relating to election petitions was completely and comprehensively reviewed, and a general Act was passed by which undoubtedly every case of individual complaint of grievances that could be brought under the notice of the House by petition was referred to the tribunal constituted to try election petitions. This Act was repealed and another was more recently passed, but there is no substantial difference between them, except perhaps that the last Act is not so complete and comprehensive as the former one.

But I am not going to raise a question under these Acts. My case is entirely independent of them; but in considering their effect, I think I may state that it is a sound and true principle that the privileges of the House are to be treated like the Prerogative of the Crown, that they cannot be taken away by any intendment of language, but only by most express and precise terms. In this way alone can the Prerogative of the Crown be affected. The House has to consider whether these Acts have in any way diminished or abrogated its own inherent privileges; and I think that a moment's reflection will show us that nothing that has transpired in legislation has in the least diminished the supreme power of the House to vindicate and maintain its own privileges and those of its Members. In considering what the House should do when any question is brought under its notice in reference to the maintenance of the privileges of Members arising out of an election, I think that the House will recognize the wisdom of the distinction that has been maintained by a solemn judgment of the House. Some years ago a gentleman having been elected came to the table and took the oaths and his seat without any return having been made of the election. Upon this the question naturally arose in the House whether it was competent for a gentleman to sit by his election and not by his return. The House was struck with the gravity of the question, and it was referred to a Committee of the most distinguished Members of the House, and they came to a Resolution. The case, I may say, was that of Mr. Hawes, in 1848, and the Committee solemnly determined, by Resolution—

> "That although the return of the indenture to the Crown Office has always been required by the House as the best evidence of a Member's title to be sworn, yet that the absence of that proof cannot affect the validity of the election, nor the right of a person duly elected to be held a Member of this House."

This Resolution was accepted by the House, and it was held that Mr. Hawes had been properly sworn, and no further step was taken in the matter. This decision being recorded, we at once understand the numerous precedents that have occurred consequent upon the election of Members when the House itself has taken the initiative. Cases have arisen in which the House has been informed by a Member in his place that an election had occurred, and that a Gentleman was unable to take his seat, because the return was not of a character to permit of his being recognized as a Member. Sometimes the return has not stated accurately the place for which he was elected, and sometimes there has been another name differing from that which the Member bore, and on all these occasions the House has received information of the fact of the election, and then proceeded on its own authority, without any election petition, to see that the form of the return corresponded with the fact of the election, and amended the return. This being the practice of the House, it is my duty to state that I hold in my hand a letter from the Under Sheriff of the King's County, which I will venture to read, rather than to state its effect; but I may state, in the first place, that at the last general election three gentlemen were proposed as candidates for the King's County, and one of those gentlemen, who is stated to have been elected, does not appear in the return. Consequent upon this state of things the gentleman communicated with the returning officers, the sheriff and his under sheriff, by a letter to the under sheriff. This letter is dated the 9th of February, 1866, and is signed "John Pope Hennessy," and is in these terms—

> "With reference to your communication to me this morning, to the effect that Mr. Longworth authorized you to tell me that he had inspected the King's County poll book since the election, and was now satisfied that I had the majority of votes over Sir Patrick O'Brien, may I trouble you to let me know whether you have also cast up the books, and can corroborate the statement of the high sheriff that I have the majority."

To this letter Mr. Hennessy received the following reply, dated February 10:—

> "My dear Sir,—I have just received yours of yesterday's date, asking me if I can corroborate the statement of the high sheriff that you had a majority of votes over Sir Patrick O'Brien, and in reply beg to state that I myself inspected the poll books at the Hanaper Office on the 31st of July last, and was then satisfied that there had been a mistake in the totting up, and that you had a majority of votes. My conversation with the high sheriff to which you allude took place only a few weeks ago."

It is therefore that I communicate to the House the startling fact that although this gentleman's name does not appear upon the return, yet that, according to the undoubted facts of the election, he was elected on that occasion. He is now unable to present himself at the table of the House, though he has been duly elected according to the statements both of the high sheriff and of the under sheriff, in consequence of his name being omitted from the return; and the question which I desire to submit to the consideration and judgment of the House is, what step it ought to take when it finds that its own officer has so erred in the conduct of his duty that the right to sit in the House which has been conferred by the election cannot be exercised in consequence of the mistake which has been made. I am not standing up to advocate the taking measures against the high sheriff or the under sheriff. I am willing to believe that it is an unintentional error, though one that any decent school boy ought not to have been guilty of. I am only here to consider whether it is in the power of the House, and, if so, whether it be not its duty to take some steps to repair this singular error. Undoubtedly, we ought to regard the sheriff without any feeling of vindictiveness, because the House will remember that he is not a volunteer acting for hire and profit, but a gentleman taking upon himself a most onerous office for the public good; and, therefore, it is the practice in all courts of justice to consider any error of which the sheriff has been guilty most leniently, and to give him every opportunity of correcting it, so that no interests should be compromised by his error. If we are to treat the sheriff, who for this purpose is an officer of the House, upon the same principle, it seems to me that we ought to give him an opportunity to correct the error in his return. It may be said that this is not an error merely, but a matter of substance vitally affecting the interests of others; but I have read the Resolution of the House that draws a clear distinction between the right of election and the ceremonial of return. In dealing with this question, the House will not deal with any question of right to sit. On all occasions when the House, acting upon its own authority, has interfered to amend a return, it has at the same time recognized the right of individuals to petition, and it has always accorded to them the right to petition the Commons, when the return was amended. A Resolution to that effect has always accompanied any Resolution amending a return, which not only shows that no question of right was involved, but also that the distinction I have drawn has been recognized. Therefore, if the House were to order this return to be amended, it will be entirely without prejudice to the ultimate right to the seat; and, if any gentleman think himself aggrieved, he will be entitled to petition to have the question adjudicated upon under the Elections Petitions Act. It will be a very grave thing for the House to admit that it can be in the power of a returning officer, when an election has taken place, in fact, to send any one he pleases into the House, and that, on the mere return, any gentleman can sit here to the exclusion of one duly elected. If party feeling were to run high in this country, the leader of the House might be elected beyond all question, and yet a returning officer, who was not skilful in arithmetic, might choose to suppress a hundred or a thousand in his addition, and might return some one else; and thus we might have the leader of the House, upon a mere act of the returning officer, kept at bay for two or three months during a contest on an election petition. It seems to me that it would be most dangerous to the privileges of the House and the rights of every Member if we were once to allow that, where an unquestioned election in fact has taken place, the returning officer may put any name he pleases in the writ. If, when we have it on that officer's authority that he had made a mistake, we were to say that our hands are tied, and that we are unable to remedy that mistake, we should not have the authority which every court of justice in the country claims to exercise for itself, where right is on one side and form and ceremony on the other. I have deprecated the Elections Petitions Acts, because their terms are so stringent, and I have thought it would be desirable if the House would legislate to qualify some of their provisions; but, apart from that question, I maintain that wherever right is shown in fact, and where form does not correspond with right, it is in the power of every tribunal to take care that the form shall coincide with fact and right. And I further say that the House has the same power, and that this is a case in which it ought to give effect to it. I am not willing to draw the House into any controversy about the facts. [Sir PATRICK O'BRIEN: Hear, hear!] The hon. Member cheers, and I hope that he will stand up and give effect to that cheer, for if the hon. Member can stand up and say upon his honour that he was in fact elected, I am quite content to withdraw the Motion with which I shall conclude, and to move the House that the doubtful question of fact shall be referred for solemn investigation upon oath before an election committee. But until I hear the hon. Member stand up and say that in point of fact he was and Mr. Hennessy was not elected, until he is prepared to say that the representations of the sheriff and the under sheriff are erroneous, I must be entitled to ask the house to proceed upon the substantial justice of the case. In the absence of any such representation of fact, I feel it my duty to bring this matter under the consideration of the House, so as to enable the House to vindicate its privilege. I move that the high sheriff of the King's County be called to the Bar of the House to be examined touching this return; and when that Motion has been assented to, it will be for the House to consider what is the proper course to be taken in vindication of those rights which I submit have been violated on this occasion.

THE O'DONOGHUE seconded the Motion.

SIR PATRICK O'BRIEN said, he should not for a moment attempt to put forward his own personal opposition against the wish of the House; but having been elected by a large number of the King's County constituency, he should be forgetting his position as their representative if he did not venture to address the House after the hon. Gentleman (Mr. Ayrton), of course with the kindest possible view—being connected with himself (Sir Patrick O'Brien) in politics—had brought forward this Motion. He recollected some nine years ago, when a young man in that House, he had the honour to differ from the hon. Member for the Tower Hamlets, and on that occasion he said a thing to that Gentleman which in those days was considered to be inappropriate. The hon. Member seemed not to have forgotten that occurrence of nine years ago, and had selected him (Sir Patrick O'Brien)—he being a Member of the Liberal Party—for his (Mr. Ayrton's) attentions on that occasion. [*Cries of* "Oh, oh!" *from the Opposition.*] He could understand that hon. Gentlemen opposite approved of that course; but how the hon. Member for the Tower Hamlets, who called himself one of his (Sir Patrick O'Brien's) people, could pursue such a course, was difficult, except on the supposition referred to, to understand. He believed the hon. Gentleman was looking in the balance, and that perhaps something connected with the Council of India loomed before his vision. He merely rose to make this statement, and this alone, and he should at once retire from the House, inasmuch as the Question before it was his own. He pledged his honour as a gentleman that he believed on his honour as a Member of that House that he was in a majority for the King's County.

THE ATTORNEY GENERAL: Sir, I must say I am somewhat surprised that the hon. Member for the Tower Hamlets should have lent the influence of his authority to the course he has proposed. I have great respect for the abilities of my hon. Friend, and I am quite sure on all occasions he is actuated by a desire to discharge his duty faithfully. Yet, speaking for my own part, I must say I think it would be a matter most deeply to be lamented if the House of Commons gave its sanction, even for a single moment, to such a course. It is equally opposed to all the principles upon which we ought to act; to the rules which guide the proceedings of the House; and to all the interests of every Member of the House, which are, as I think, involved in its rules and practice, as well as in the law on the subject. My hon. Friend has attempted to draw a distinction between the privileges of the House and the law of the land. He says this House is not to consider itself debarred from exercising its powers of interference with matters of election, and that those powers cannot be taken away except by the most express terms of an Act of Parliament. Sir, I venture to say, when this House is a party to the passing of an Act of Parliament to regulate its own practice, in matters connected with its own privileges, which experience has shown to be most delicate, liable to abuse, and liable also to the suspicion of abuse, the House is best consulting its dignity, and best preserving its own privileges in the truest sense of the word, by showing the highest degree of jealousy in maintaining those several rules and regulations which have been established by that Act of Parliament. The real question, viewing it on this and on all like occasions as one of principle, is, whether the course upon which you are now invited to enter is or is not in substance an evasion of the laws which we have laid down for the government of our proceedings, and by which we are bound, even although there be no authority to compel their observance except our own sense of what is due to ourselves and to the law. For what is the principle involved in this case? The Act of Parliament enacts that every complaint of any improper election or any improper return with respect to an election, whether preferred by a candidate or an elector, shall be received only under certain conditions, and investigated only in a certain way. The conditions are that certain recognizances shall be entered into, and then there is the mode of proceeding in the House with which we are all acquainted. Is any gentleman to escape from these obligations? Is the House to be deprived of those securities because a gentleman, instead of going through the form of a petition, thinks fit to enter into a private communication with the Sheriff of the County, and then make a private communication to an hon. Member of the House, complaining of an improper return? I think the House would enter upon a most dangerous, a most unwise, and a most unworthy course if it gave its assent to any such proposition. The practice in the cases referred to by the hon. Member for the Tower Hamlets has nothing whatever to do with the case before us. They were not cases of an alleged improper election or return. They were cases in which hon. Members who took their seats had been returned as Members. About the return there was no question. The question was whether the forms by which the return ought to be communicated to the House had been sufficiently complied with. There was no case in which a return had been made and in which an hon. Member had been permitted to take the oath and his seat in the House and that return had been challenged. There is no precedent for such a course, but there are precedents to the contrary. In the case of the Dundalk election in 1826, and the elections of Dublin and Rye in 1831, petitions were presented complaining of the conduct of the returning officers, and because they were considered to be in the nature of election petitions, though not directly assuming that form, the House refused to receive them. But if the House had taken the singular view advanced by my hon. Friend, that the returning officer is to be considered an officer of the House, the House, in all those cases, would have received the petitions. But the House acted in those cases upon this most salutary rule, that it would not suffer that to be done indirectly or by evasion which could not be accomplished directly according to the rules which regulated its proceedings; and I hope the House in the present case will adhere to that rule. Let me say one word as to the manner in which the information in the present case has been given to the House. If the House were, under any circumstances, to entertain a question of this kind on the ground that a sheriff had made a mistake, one would have expected that the sheriff would have forwarded his communication to the Speaker, who is the authorized representative of the House. But what has been the course pursued in this case? I am now speaking with the utmost respect for my hon. Friend and for the gentleman from whom he has received his information. A private letter is written by a person complaining of an erroneous return, and then an individual Member of the House say he was told certain facts in conversation by Mr. So-and-So. But if the House is to act on private letters written to individual Members complaining of erroneous returns, and stating that the writers had been told by Sheriff A or Under Sheriff B that they were satisfied that a mistake had been made, no one could tell how far this would go or where it would end. There are a great many other modes of making mistakes at elections besides casting up the votes erroneously. Votes might be taken after the poll had closed. Votes might be wrongly taken down at the poll; it would be as easy to allege that the polling papers had been falsified, as that the numbers had been wrongly cast. The fear is that this evasion, once admitted, would never stop; and therefore it must not be admitted at all. The statement of the under sheriff, that there was a mistake, may be true or not. The House knows nothing about it, and we have no right to assume that an hon. Member who has taken the oath and his seat has been returned in an irregular way. These matters can be investigated in the proper way. The sheriff has made his return, he has no more to do with the subject, and neither he nor the under sheriff can, by unauthorized information, impeach the accuracy of the return made. In all cases in which the accuracy of the return is questioned the proper mode of proceeding is by petition in the regular way. It is then quite possible that when you come to deal with the poll-books there will be a majority found for the party who claims it, but the majority must be a real one, and that it is so can be proved only by showing that the votes recorded were good and valid. The result of such an investigation, conducted in the ordinary way and according to law, may be to show that the hon. Gentleman who now sits as Member for the King's County has been duly elected. I would ask the hon. Member for the Tower Hamlets what would take place if there should be an election petition presented and it should be investigated in the regular way. Would the duty of the Committee be confined to the recasting of the numbers in the poll-book? No. The investigation having been opened, it would not stop until the Committee had decided who ought to have been returned. If the investigation should be made in the ordinary way the result might be that, notwithstanding an arithmetical inaccuracy, the hon. Member has been duly elected. The hon. Member has stated to the House, upon his honour, that he believes he has been duly elected. I think my hon. Friend will be satisfied with that. At all events, I should be greatly surprised if the House is not satisfied that the course proposed ought not to be adopted.

Mr. AYRTON said, after the statement of the Attorney General, he would not adhere to his proposition. He had proceeded upon what he considered unquestionable matter of fact. He asked leave to withdraw his Motion.

Motion, by leave, *withdrawn.*

SUPPLY—QUEEN'S SPEECH.

Queen's Speech *considered.*

Motion for Supply — Order for Committee on Motion, "That a Supply be granted to Her Majesty:" — Committee thereupon *To-morrow.*

CATTLE DISEASES BILL.

COMMITTEE: BILL ORDERED: FIRST READING.

Sir GEORGE GREY, in rising to move that the Cattle Diseases Act be considered in Committee, with the view of asking for leave to bring in a Bill to amend the law relating to contagious or infectious diseases in cattle or other animals, said: Sir, the object of the Bill which I have given notice that I shall ask leave to introduce is one which, in the terms of the Speech from the Throne, "deeply affects the interests of the people of this country;" and when I speak of the interests of the people of this country, I do not mean the interests of one class or another, but of the interests of the whole community. That virulent distemper which has appeared within the last few months in this country affects, no doubt, primarily and immediately the agricultural interest, in so far as they are the producers of that great supply of food with which the country is furnished. But it is quite obvious that the supply of food intimately concerns the interests in the future of the great consuming population of the country. It cannot, therefore, be a matter of surprise that a great change of public opinion has very recently taken place in the estimate formed of the danger arising from the spread of this disorder. The steady progress of the cattle plague, the extensive ravages which it has committed in a great many counties and districts, although there are still a considerable number either absolutely free from the disease or very slightly affected by it—notwithstanding that, the progress, I say, made by the disease, and its extensive ravages, amounting almost to the desolation of certain parts of the country, form a sufficient cause for that alarm which now exists, and for that desire which has been evinced within a short period that the most stringent measures, compatible with a due consideration of the interests of all the parties concerned, might be taken in order to check, if possible, the progress of the disorder. As I have stated, on this subject opinion has been greatly changed, and that within a very limited period—I do not say even within the last few weeks, but since the week preceding the meeting of Parliament. If we look back to the public meetings held in agricultural counties with reference to this disease, only two months ago, or even less, we shall find the tone of expression very different from that with which we have recently become familiar. We shall find, indeed, that in many places a strong desire was expressed that Government should take the entire management of this matter into their own hands; should lay down all the rules and regulations which they conceived to be conducive to the check of the disease; and that they should by officers of their own, taking away the responsibility from the local authorities, undertake the execution of those measures which every one now desires to see put in force. But if we look at the suggestions emanating from these meetings or from any public bodies, we shall find in them very little of that unanimity of opinion with respect to the measures to be taken which, to a great extent, has been arrived at within the last fortnight. Take, for instance, the case of slaughter. The Government, in the exercise of the powers vested in them by law—that is, the Members of the Privy Council whose names are attached to the Orders on the subject, and who acted on the responsibility of the Government generally — the Government, from a very early period, doubted the probability of any effectual check being given to the disease by means of cure.

They thought it their duty, therefore, to authorize, as the most effectual means of repression, the slaughter of the diseased animals by inspectors appointed by the local authorities acting under the authority derived from Orders in Council—the Privy Council deriving their authority from an Act of Parliament—in order to prevent the possibility of the disease being propagated by keeping the affected animals alive. But it will, I am sure, be in the recollection of the House and of those who have attended to the subject —and who is there among us who has not had his attention called to it from its extreme importance ?—that the power thus given produced the greatest dissatisfaction throughout the country ; that the strongest remonstrances were addressed to Government against that power of slaughter, and that throughout the press there was universal objection to adopt what was called a barbarous mode of extinction of this disease by means of the poleaxe, derogatory, it was said, to our veterinary skill and science, and unbecoming a civilized people, who ought, at all events, to try whether some mode of cure might not be discovered. For three months that Order of the Privy Council was in force, from about the 23rd of August to the third week in November. The Order was then not absolutely withdrawn, but it was modified to this extent—the power given to slaughter animals simply because they were affected by the disease was taken away, and it was limited to those cases in which the isolation of infected animals had been ordered and the order had been neglected or violated. Evidently the owner could not complain if, having neglected those orders, the animals were destroyed as a penalty for the violation of those Orders. It will be remembered that the Royal Commission reported against the power of slaughter. At that time the Royal Agricultural Society, I believe, entirely concurred in the opinion that that power ought not to be continued. Deputations, both from the Royal Agricultural Society and from the Farmers' Club, were received at the Privy Council Office, and I think both —I am certain that one—of those deputations expressed its entire concurrence in the limitation which was placed at that time on the power of slaughter, in deference to public opinion and to the recommendations of the Royal Commission. In speaking of the recommendations of the Royal Commission, I do not wish to be understood to say that they expressed an absolute opinion that slaughter was not the most effectual means of checking the disease ; but they stated that, though it might have been effective at the early period of the disorder, they doubted its efficacy at a time when it had attained the head which it then had, and they thought it impossible to retain the power without giving compensation to the owners of the cattle slaughtered, and compensation from the public Treasury they deemed wholly impossible. Under those circumstances that Order was withdrawn, and I only allude to it now to show that there has been a very great change of opinion among those whose authority ought to have weight with this House.

Now, the main points upon which representations have been lately addressed to the Government, and by bodies entitled to the greatest consideration, are these—1. Compulsory slaughter, with compensation ; 2. Absolute or qualified prohibition of the removal of cattle throughout Great Britain ; 3. Isolation of suspected animals, and disinfection of infected premises ; and 4. Regulations as to cattle brought by sea. There are, of course, many minor matters upon which it may be necessary to legislate, and to which the Orders of the Privy Council relate, and which those bodies hold to be of great importance ; but these were the four principal points in their recommendations.

Now, let me call attention to what these recommendations are. I have had, as you may suppose, passing through my hands a great mass of correspondence both with public bodies and individuals on this subject; and I have had, during the last few days, the great advantage of receiving deputations of gentlemen who have come to state their views, and who have, I believe, been actuated by a sincere desire to assist in the solution of a question which they admitted was one of great difficulty. I now tender to them my thanks for the opinions which they have expressed to the Government, for the results of their own experience which they have communicated, and for the readiness with which they underwent a sort of cross-examination, which was resorted to in order that the Government, for its own information, might elicit with the greatest accuracy the opinions which they entertained. And, first, I will advert to the resolutions passed on the 7th of the present month—five days ago—by the Royal Agricultural Society. I may say that these resolutions were not formally brought to me by a deputation; but, having been informed that members of the Agricultural Society had a meeting on that day, and had come to some resolutions, I requested that they, if there was no objection, would place the resolutions in my hands. That request was complied with—I think on the 9th. They have only this day been formally presented to the Government, but they have been in my hands for several days. With respect to slaughter, the Royal Agricultural Society, after adverting to the great evils of the cattle plague, and the insufficient measures hitherto adopted, state—

> "That no method of dealing with the cattle plague at the present time will be of any avail unless it provides for—1. The immediate slaughter and burial at least six feet deep of all cattle suffering from the disease, making compensation to the owners in such mode and to such extent as shall be considered advisable."

About the same time—on the 8th of the present month—what was termed a conference of gentlemen connected with a large number of counties in England, and with some parts of Scotland, was held at St. James' Hall, where this subject was fully discussed. Previously to the meeting of that conference, the gentlemen by whom I believe it was convened wrote to me to know whether on the 9th of the present month, the day after the conference, it would be convenient for me to receive a deputation who would state the result of their deliberations. I was very glad to have the opportunity. They came, and were received by the President of the Council and myself, and they placed in our hands a series of resolutions which had been agreed to at the meeting. The third of their resolutions, relating to the slaughter of diseased animals, was—

> "That the immediate destruction of all plague-stricken animals and those in direct contact with them, and the complete isolation and official watching and control of all animals that have been within the influence of contagion, ought by Act of Parliament to be provided for."

Another resolution passed at the conference was the following:—

> "That the partial remuneration of the owners of animals affected by those measures be provided by Act of Parliament."

It will be observed that the resolutions passed by the Royal Agricultural Society and those adopted at the conference are identical, save in one particular. While the conference held that not only the animals suffering from disease, but also such animals as have been in contact with them ought to be slaughtered, it is the opinion of the Royal Agricultural Society that only the animals actually affected by the disease ought to be destroyed.

The next authorities to which I will refer are the Highland Society, and the Chamber of Agriculture and Scottish Farmers' Club. The Highland Society, the most influential association of the kind in Scotland, has at a recent meeting passed resolutions to the effect that killing the cattle actually diseased, and also those that have come in direct contact with them, was the only mode of extirpating the plague. The Chamber of Agriculture and Scottish Farmers' Club, another most influential association, ha passed resolutions similar to those adopted by the Highland Society, and they have in addition sent a deputation to London, with a printed statement of their opinions, as the great importance of having all animals attacked by the plague destroyed at once. Another authority, and one of a different kind, is the opinion of the Association of Fleshers of Edinburgh. The third resolution, adopted at a general meeting of their body, is—

> "Should the plague break out in a farm, at once kill and bury the animal affected; slaughter, also, all cattle that have been in immediate contact with any beast affected with the plague. Let the inspector in whose sight these operations are conducted make an inventory of the number and value of the remaining cattle. The inventory will afford means of preventing the removal of cattle affected, and may be useful in assessing future compensation if necessary. No cattle ought to be allowed to leave the affected farm alive until the lapse of such time from the last case of plague as may be considered safe."

The paper embodying the opinion of the Chamber of Agriculture of Scotland is dated 13th December, but there is not the slightest doubt that they entertain similar opinions now. The agriculturists of several Scottish counties have also endeavoured, by the slaughter of all infected animals, to check the progress of the disease. This has been done, for instance, in Aberdeenshire, where a fund has been raised by voluntary assessment, by means of which all persons whose cattle have been slaughtered in consequence of the resolutions come to by the gentlemen and tenant-farmers of the country, are recompensed, thereby adopting a practice which they thought most conducive to their own interests and those of the public in checking the disease, and showing an example recommended by its success to the rest of the United Kingdom. There can be no doubt whatever that up to this period human skill has devised no method by which it can be asserted with any confidence that the cattle disease can be cured. I do not say that at a future period some means of cure may not be discovered; but what I say is that at present the disease has generally proved incurable, and that, therefore, the only possible course, by the adoption of which we can hope to check this most contagious disease, is the destruction of all animals affected by it. I shall now quote a few authorities with reference to the second question—a question of very great importance—the absolute or qualified prohibition of the removal of cattle throughout the country. The Agricultural Society say in their fifth resolution—

> "That simultaneously with the destruction of diseased cattle the transit of all animals, whether by rail or road, be entirely prohibited, with," they add, "such exceptions only as may absolutely be necessary."

The expression of opinion on the part of the Conference at St. James' Hall, is contained in their first resolution. It would seem that the opinion of the meeting differed somewhat from that of the gentleman who proposed the resolution, and that, yielding to that opinion, he altered his resolution from its original form to that in which it now appears—

> "Resolved, that the removal of all live cattle from one place in Great Britain to another over highways, and that the removal of all live cattle by railways through Great Britain, ought to be prohibited for a limited time."

In the original resolution, after the word "highways," occurred the words "except in uninfected counties," but these words the proposer had expunged from the resolution at the wish of the meeting. On this point, I understood from the deputation that it meant that in no case should cattle be removed by road or railway, from the Land's End to the northernmost extremity of Scotland, not even in crossing a highway in going from one part of the farm to another. Upon this point the Scotch Chamber of Agriculture differs from the two English authorities I have quoted. They say they do not agree with the proposal made by the majority of the Royal Commissioners, that the butcher should go to the ox instead of the ox coming to the butcher (the necessary consequence, be it remembered, of the absolute prohibition asked for); and they think that such a course ought never to be adopted except in cases of urgent necessity. It is right to add that the gentlemen forming the deputation stated to me that, without being in any way authorized to qualify the opinion come to by the body which they represented, their individual opinions had since been, to a certain degree, modified. They accordingly added to the petition from the Chamber of Agriculture and Farmers' Club the following memorandum:—

> "With reference to the question of the removal of healthy cattle for slaughter, the opinion of the Chamber of Agriculture and Scottish Farmers' Club, when assembled in Edinburgh on the 13th of December last, at a special and general meeting called to consider the cattle plague, and upon the resolutions passed at which their petition to Parliament was framed, was that healthy cattle which had not been in direct contact with diseased animals might be allowed, under proper certificate, to be sent to the Metropolitan or other licensed markets, or to slaughterhouses to be licensed for the purpose, and that no animal so sent should ever be removed alive from the police boundaries of the said licensed markets or slaughterhouses. The deputation believe that this is at present the opinion of the great majority of the practical farmers of Scotland. Since coming to London the deputation has had repeated interviews with the feeders and breeders of the midland counties, who maintain that the transit of live cattle without exception should be stopped for a limited time. The chief arguments in support of this are—1. That so long as live animals are allowed to be sent at all the risk from evasion of the regulations is great; 2. That disinfectant measures in connection with railway trucks, &c., cannot altogether be trusted to, and that no complete security can be afforded without the entire stoppage of transit for a time. The deputation is disposed now to think that more weight ought to be given to these arguments than has hitherto been done in Scotland. The deputation, on their part, think that all danger will not be avoided even were this course adopted, as slaughtering in general on the farms in Scotland will be carried out by the employment of butchers and material from the towns, who may be the means of carrying infection along with them. No doubt there is considerable difference between England and Scotland in the arrrangement of farms and public highways, which last are more numerous, and in general intersect the land much more in England than in Scotland—thus exposing the English stockowner to greater hazard from the movement of cattle than the Scotch stockowner. But it is extremely desirable that any restrictive measure with regard to transit should apply to the whole of Great Britain without exception, as such would be more likely to be successful. The deputation have stated these views to the members of the conference, but did not consider it necessary to move an amendment to the resolution themselves, although they voted for the amendment moved by Mr. Snow, and seconded by Mr. Duncan (Scotland)—'That healthy fat cattle, under proper restrictions, be allowed to go to market for immediate slaughter.'"

With regard to the prohibition of fairs and markets, I need not specially refer to that at present, because it is necessarily involved in the prohibition of removal. It is quite obvious that, if Parliament should decide that for a limited period the country must submit to the inconvenience of a strict prohibition of all removal of cattle from one place to another, no cattle fair or market could be held within that time.

The next point, in respect to which opinions have been expressed, I need not trouble the House with for a moment, because it only affects the steps to be taken for the cleansing and disinfecting of places where there has been disease, and for adopting precautions for preventing such places spreading the disease, upon which all are agreed. Very strict regulations are enforced by Order of the Privy Council on that subject, and we also propose that the Bill should contain regulations with reference to it.

The next point is one of considerable importance. It relates to cattle brought by sea into Great Britain. When we speak of cattle brought by sea into Great Britain, the House must remember we are speaking not of the importation of foreign cattle alone, as is generally understood, but of the introduction by sea of cattle from any place whatever, including Ireland, on which we are dependent for a very considerable portion of our supply. Therefore, when it is asked that cattle brought into this country by sea should be dealt with in a peculiar way, the communications made to the Government, or the resolutions expressing an opinion touching that subject, cannot be considered as relating exclusively to foreign cattle, but as embracing all cattle whatsoever coming by sea into the ports of Great Britain. But as, I am happy to say, Ireland at present is free from the disease, the restrictions proposed by this Bill will not apply to cattle imported from that country. The Royal Agricultural Society, in their sixth resolution on this question, recommend—

> "That during the existence of the cattle plague, all imported cattle, sheep, or swine shall be slaughtered forthwith at the port where they are landed; and their hides, skins, and offal disinfected there."

The resolution passed at the conference held in St. James' Hall on this point was, "That all imported cattle be prohibited moving inland." I need not trouble the House with extracts from the statement embodying the views of the Scotch Agricultural Society, but I may say that they seem to doubt the possibility of this absolute prohibition of removal being effected immediately. I understand them to desire that it should be adopted if possible, but they intimate that if it should be found impracticable at the present moment, they think it would be expedient that imported animals should not go from place to place throughout the country, but that they should be allowed only to go to one market for the purpose of being slaughtered. There is another point to which I wish to advert before I state the proposals of the Government, and that is the agency by which it is proposed that this measure should be carried into effect. The resolutions of some of the bodies to which I have referred are silent on this head; but the Scotch agricultural body express their opinion fully on this subject, and suggest what appears to me to be a very sensible and judicious mode of enforcing by local agency whatever regulations may be made. The Royal Agricultural Society asks that the Government should bring before Parliament a Bill directing and empowering quarter sessions to assemble immediately in order to carry out such regulations.

Now, Sir, before I state the provisions of the measure I am about to propose, I will first state what is its principle — a principle to which I hope the House may be disposed to assent. It is that we should lay down by law certain general rules applicable to the whole country, from which no local authority should be empowered to depart. Next, that we should make use of the local authorities throughout the country for the purpose of enforcing these rules and others that may be made under the powers which I am about to mention; and, thirdly, that we should give the local authorities a discretion as to regulations to provide effectual means for dealing with this matter, according to the varying circumstances of the different parts of the country of which circumstances those local authorities possess a knowledge which the Government cannot possibly possess, and which the Government could not acquire even if it sent agents of its own into the country. We must depend, if we would grapple effectually with this evil, upon the zealous, cordial, and intelligent co-operation of the local authorities throughout the kingdom. First, then, we propose that the local authorities shall give effect to the provisions of the Bill, and shall consist, as now in England, of the quarter sessions for counties, and in boroughs of the mayors and town councils; while in Scotland they will be the body of magistrates who manage the affairs of the Scotch counties very much in the same manner as is done by the quarter sessions in England, modified, however, in accordance with Scotch opinion, and a suggestion which we think a sound one, which will be embodied in a clause prepared by the Lord Advocate. It is proposed to make it imperative on those local authorities, having appointed officers to give effect to the regulations to cause to be slaughtered all infected animals within their districts. On this point we do not propose to allow them to exercise any discretion at all, but we require them directly, through their own officers, to cause every animal ascertained to be infected with this disease to be slaughtered. With regard to animals not actually infected with the disease, but which have been in contact with others that are infected, or in such contiguity with them as to raise the presumption that they may probably be attacked by the disease, and be the means of conveying it to other animals, we do not propose to make it imperative on the local authorities that they should be slaughtered, but, taking a middle course between the recommendations of the Royal Agricultural Society and that of the conference at St. James' Hall, we propose that power should be given to the local authorities, acting upon the special circumstances of each case and according to the probability of the infection being spread, to direct that animals of that class also shall be slaughtered. We propose, likewise, to adopt a recommendation which I believe has been unanimously made—namely, that the principle of compensation for the animals so slaughtered, whether belonging to one or the other of these two categories, should be admitted. But we propose to adopt a difference in the amount of compensation given in respect of animals ordered to be slaughtered when infected, as the disease must materially affect their value, and that given in respect of animals not infected, but only slaughtered by order of the local authorities to prevent the possibility of contagion. It is proposed that the rate of compensation should in the first case not exceed two-thirds of the value of the animal, provision being made by which the local authorities may ascertain the value, and that in no instance should the amount of compensation exceed £20. In the second case, we take the same scale as has been adopted in Aberdeenshire with respect to healthy cattle—namely, that the compensation shall not exceed three-fourths of the value of the animal, or a maximum sum of £25. As to the fund from which the compensation money shall be derived, I pass that point by for the present. I may state that we make it compulsory on the local authorities by officers of their own to require all animals, either slaughtered by their order or dying of the disease, to be buried with certain precautions stated in the Bill, and with any others superadded to prevent the spread of contagion, and likewise to require the places in which such animals have been kept to be disinfected, and no fresh beasts to be taken there until such places have been declared to be free from risk.

I now come to the question of removal of cattle. It is not easy to frame regulations which, with a due regard to all the interests concerned, and different circumstances in the country, we think we can recommend to the House. We have, after much consideration, come to the following resolution:—The principle which we propose to the House with respect to removal from one place to another, is not the principle of an absolute and unqualified prohibition of removal to the extent which I said just now the Government have been asked to adopt throughout the whole of Great Britain—not to impose a certain statutory prohibition of universal application on removal, but to leave it open, subject to this statutory restriction, for the local authorities to make regulations varying according to the varying circumstances of different parts of the country. It is impossible to apply one iron rule to the whole of Great Britain, from the Land's End to the North of Scotland, which would of course be the effect of Parliament's laying an absolute interdict upon all movement of cattle along any high road, even although that high road divided different portions of the same farm, involving also the shutting up every cattle market throughout the kingdom. Why, there are—thank God!—large districts of the country which are yet quite free from the disease; and regulations which may be right and even essential in districts where the disease is rife, or adjoining districts where it rages with virulence, would be an intolerable vexation and an unnecessary interference in counties situated perhaps 100 or even 200 miles away from any centre of infection. Take the case of Cheshire, one of the counties which have been most severely visited by this plague. From the accounts we have received parts of that county have been nearly desolated. But surely you would not have one and the same inflexible rule applied to such counties as Cheshire and counties wholly free from the disease, such, for example, as Caithness, Sutherland, Ross-shire, Orkney, and others? We have therefore come to the conclusion that this is a course which we could not recommend to the House for its adoption. I have said that this proposal, too, involves the stoppage of every market throughout the country. It involves, in point of fact—to put it in another way—the immediate—for there is no time to be allowed—substitution throughout the whole of Great Britain, in every city, town, and village, of a supply of dead for a supply of live meat. Absolute prohibition implies, also, as a necessary consequence, the slaughter of healthy animals, not with those professional appliances and that professional skill which make the operation, on sanitary grounds, safe, but without the means of effecting that slaughter properly, or of having the carcases duly hung up to dry. This must be the case if it were provided that the animals should be killed on every farm, whether large or small, or on the premises, in which they may be in towns. On this subject I am anxious to read a portion of a letter to which I referred the other night, and which was addressed to me some little time ago by Mr. Henry Thompson, a gentleman well known to many of us for his having sat in this House as representative for the borough of Whitby. He was one of the deputation of the Agricultural Society, to the Privy Council in December, and he urged that very stringent regulations must be made throughout the country with reference to the removal of cattle. In this letter he says—

> "Having been elected Chairman of the Committee appointed to draw up a Report containing suggestions for the regulation of the cattle traffic in the West Riding, and having carried our Report, which was based on the recommendations submitted to Lord Granville and yourself last month by a deputation from the Royal Agricultural Society, I think you may like to hear briefly the reasons for our decisions, especially as you will be strongly urged to issue a general Order of the Council placing the whole country under one uniform system. In the first place I may mention that, as Chairman of the Cattle Plague Committee of Magistrates, I have placed myself in communication with the mayors of all the corporate towns in the West Riding, and have received numerous letters from them, as well as from secretaries of local agricultural associations, farmers, butchers, &c. As chairman of a railway company permeating a great part of all three Ridings, I have also great facilities for ascertaining the feelings and opinions of all classes on this question, and I have taken some pains to turn those facilities to account. The result of my inquiries is a strong conviction that, notwithstanding the widespread panic which exists, and has in many cases led even sober-minded men like the magistrates of the North Riding to pass very extreme restrictions, the bulk of the thoughtful, business-like men of this county are in favour of the system which we have adopted in the West Riding, and which may be briefly characterized as a system which gives every facility for sending cattle to slaughter both to public markets and to private slaughterhouses, but does not allow them to leave such market town, or butcher's shop, alive. The check which we have applied consists in requiring that a licence should be obtained from one magistrate before the cattle can be moved at all; but it is clearly understood that these licences will be freely granted where there is no reason to suppose that the cattle to be moved are from infected farms. If, instead of such a system as this, the rigidly prohibitive system now in force in the North Riding be adopted, all cattle must be slaughtered at home, and this I am persuaded will greatly tend to spread the infection. There are numerous other objections to the prohibitive code, such as the great additional loss inflicted on farmers by being compelled to sell their cattle at home, and the entire absence of all check on the slaughtering of diseased cattle, and the sale consequently of diseased meat to the public, which are the inevitable results of private slaughtering in detached farmhouses. I have had a case already within five miles of my house in the North Riding, where a butcher from one of the sea-ports slaughtered all the cattle still alive on a farm where more than half of the herd had already died of the plague. The meat was carried to a distance, and if challenged when brought to market for being soft and discoloured the answer would be ready, 'The animals had to be killed at a farmhouse without any proper conveniences, and where the carcases could not be left to cool, but were obliged to be cut up and carried over bad roads before they had time to stiffen; the meat must consequently be soft and bruised.' I will not occupy your time by discussing the numerous other objections that might be urged, but press as strongly as I can the objection to killing at home—namely, that butchers will wander from farm to farm in search of cattle, that a perfect army of inspectors could not prevent their occasionally killing diseased cattle, either knowingly, in consequence of their cheapness, or unknowingly being taken in by the almost unlimited power of deception possessed by farmers on their own premises. After killing these animals they will visit other farms and spread the infection far and wide. I trust, therefore, that if Government decide to adopt one uniform system for the whole country they will leave the markets in our great towns open for the sale and slaughter of cattle under reasonable restrictions, enacting, however, that they shall not leave the place alive. The masses in the West Riding are well employed just now at good wages, and working men with money in their pockets will have good beef."

This letter is dated the 13th of January; but I have since then been in communication with Mr. Thompson. He was a member of a deputation which waited on me on Friday last, from the West Riding. After that deputation withdrew he came back into the room, and when I told him that I proposed to read the substance of his letter to the House, his answer was that he had not in any way changed the opinion there expressed. I will now, with the permission of the House, refer for a moment to the practice adopted by the different local authorities on this point; and I speak in particular of the local authorities in counties, because I know it is supposed that the inhabitants of towns have a great interest in keeping the markets open. The magistrates at quarter sessions have, by the regulations they have made, in most instances, shown the most earnest desire to take effectual measures to stamp out the disease, but they have in almost all cases allowed the movement of cattle, under certain restrictions, and in some cases have allowed markets to be held in certain places for the sale of fat cattle. What, for example, has been done by the magistrates of the West Riding of Yorkshire, which is not only a great agricultural district, but which also comprises a large commercial population? They have adopted this system of having open markets in particular towns. They have themselves singled out certain places—such as Huddersfield and a few others, which, not having corporations, are under the jurisdiction of the justices—to which, as possessing all the appliances for slaughtering cattle, they allow fat cattle to go to be there slaughtered. From these towns the meat finds its way into the consumption of the surrounding country, while the evils generated by a system of unskilful slaughter are obviated. Again, the Scotch Chamber of Agriculture have expressed their opinion on the subject, and that opinion is, I believe, approved by Scottish agriculturists generally. [Sir JAMES FERGUSSON: The Highland Society.] The Highland Society may wish for absolute and universal prohibition for a limited time; but, if so, they differ from the Chamber of Agriculture. If that system be adopted what will happen? Liverpool is a great port of entry for Irish cattle, and one effect of the adoption of such a system would be that the whole of those cattle would be slaughtered in Liverpool immediately upon their arrival. I asked one of the deputation which I received the other day if any member of it represented the great manufacturing towns? No such gentleman was present; but a gentleman who attended on behalf of one of the agricultural associations of Lancashire, admitted that there does not exist in Liverpool at the present moment the requisite means for slaughtering animals, with a due regard to the public health and the quality of the meat, to such an extent as to enable it to supply the wants of all those districts which are now supplied by the live meat which passes through it. What we propose, therefore, is as follows, and will be applicable to the whole country. At present no prohibition or restriction exist with respect to the removal of cattle, except where measures are taken by the local authorities. We do not think that is right; we think that every local authority, under the present circumstances of the country, ought to be called upon to take some action, and to carry out certain regulations. We propose, then, in the first place, to adopt a provision which has, I believe, been almost universally adopted by the magistrates at quarter sessions—that no cattle shall, for a limited time, be removed along the highway by night throughout Great Britain. We are told that there have been evasions of the regulations as to removal, and the only way to avoid that is to make removal by night penal. We also propose to enact a general prohibition against moving cattle at all, either along the highway or by railway, except by virtue of licences to be granted by the local authorities, and under general rules calculated to insure safety against the propagation of infection. That system is already in operation through the agency of courts of quarter sessions in counties, and has worked extremely well. The course adopted in some counties is, that if a farmer proposes to move his cattle he must apply to a magistrate, who only gives his licence on the production of a declaration signed by the owner of the animals proposed to be removed, and also by two farmers whose rental shall not be less than £200 each, certifying that they have within a limited period—two or three days—inspected the animals and the premises in which they are kept; that the cattle are perfectly healthy; that no disease exists at or within a certain distance of the place from and to which it is proposed to remove them, or within a certain distance from the line of the route along which they are to be moved. The cattle under the licence can only be moved along that line of route, and the person in charge of them is bound to produce the licence to any proper authority demanding the same. If he removes the cattle by any other route, or fails to produce the licence, he is treated as if he had none. We purpose to adopt the principle of these regulations. Great inconvenience has been produced by the state of the law with regard to the violation of these Orders. The Act of Parliament under which Orders of the Privy Council are made impose a penalty of £20 upon those who violate them, but the only mode of enforcing the Orders is by summoning the offenders, in order that they be dealt with according to law. Cases, however, have arisen in which persons who have been found driving cattle along the highways have refused to give their names, and the police being unable to follow them in all cases to their place of destination they have escaped, although there could be no doubt they were violating the Orders in Council. We propose to give power to arrest persons who are found violating the law and to take them before the nearest magistrate. The cattle, too, may be detained, and the magistrate may order them to be destroyed without any claim for compensation. We trust that by this summary power we shall better enforce obedience to the law. We further propose to give certain statutory powers to the district authorities to declare by public notice any place in which the disease exists to be an infected place; but when that district is declared to be infected no discretion as to the rules to be enforced will be permitted—there is to be no ingress or egress of cattle, hides, manure, and certain other articles which might carry infection to other places, until such place has been declared by the same local authorities to be free from disease. As to all other places, we propose to continue the power of the local authorities to prohibit the introduction of cattle subject, of course, to the general regulations applicable to the whole country.

I now come to the question of fairs and markets. If the hon. Member for Northamptonshire (Mr. Hunt) should raise the question of absolute prohibition, it will be easy to do so at the end of the clause referring to this subject. If that should be adopted no markets would be held. Assuming, however, that the scheme we propose with qualified prohibition will be adopted by the House, I will state the course we propose to take in regard to fairs and markets. All fairs and markets of lean and store cattle for a limited time are to be absolutely prohibited. [An hon. MEMBER: Everywhere?] Yes, throughout Great Britain. [An hon. MEMBER: In the metropolis?] The Metropolitan Market is already closed against store cattle, and has been so for some months. The proposed enactment will have little practical operation, because I believe there is not a market in the country for lean and store cattle which is not closed by the action of the local authorities. The only markets at present open are those for the sale of fat cattle. We also propose in this case that the local authorities shall act in the first instance, and that no market for fat cattle for immediate slaughter shall be held without the licence of the local authorities. One condition we propose as indispensable, that fat cattle brought to any market shall not be allowed, whether sold or not, to leave the place alive within which the market is held or to which it belongs. We propose, in fact, that there shall be only one removal. The cattle are to be marked on entering the market, and whether they are sold or not, they will be detained until they are killed. This Order is now in force in the Metropolitan Cattle Market. The number of animals sent to the Metropolitan Market is very much diminished, and we are satisfied that this Order may be safely made in the metropolis as well as elsewhere. We propose that it shall be put in force as to the metropolis within the limits of the Metropolitan Board of Works, that being the area over which, if a corporation existed, its jurisdiction would probably extend. An Order was made last week that no cattle should be removed from the metropolis alive, and the effect of this provision will be that, whether the animals are sold or not, they can only be removed to the slaughterhouse. The whole traffic in live cattle from the Metropolitan Market by railway—which has been much complained of—has been stopped, and this prohibition will be retained in the Bill. We did not make the same Order for all the markets in the country, as we thought it better to make the proposal to Parliament, in the presence of representatives of all the interests concerned. The effect of the regulations we propose is, that markets may still be held in certain places, from which the surrounding districts may be supplied with dead meat, but that no cattle sent to any such market shall leave the place alive.

One of the resolutions of the Royal Agricultural Society refers to the necessity of insuring some co-operation between the authorities of counties and boroughs. Representations have been made, which are entitled to great weight, of the interference with the regulations of the magistrates of counties as to fairs and markets by the separate and independent jurisdiction exercised in towns by mayors and town councils. In certain cases where the boroughs are not large, or where the area of the borough jurisdiction extends a considerable way into the country, the regulations made by the magistrates are rendered comparatively useless by the continuance of markets and fairs within these boroughs. The question is a very difficult one to deal with. There is a sensitive feeling on the part of the municipal authorities on this point; but we think that the representations made are well-founded; and to correct this evil without interfering with boroughs having large populations, such as Liverpool, Manchester, and others, with a population exceeding 40,000, we propose that fairs and markets shall not be held in a borough without the concurrent licence of the magistrates of the county in which the borough is situated; and, where the borough adjoins several counties, without the concurrent licence of all the counties adjacent. [Mr. HUNT: What do you propose to do with respect to railways?] We propose that railways shall be subject to the general regulations as to removal, so far as relates to cattle taken to or brought from stations. If an owner wants to remove his cattle by railway he must comply with the same regulations as if he removed them to any other place. But, when the cattle are upon the railway, the owner may remove them through one jurisdiction to another, no intermediate authority being empowered to stop animals going with a licence from the proper authority from one place to another, which is open to their reception.

The removal of cattle by sea is a matter of great importance, not merely in a temporary but in a permanent point of view. It is impossible to trace the actual origin of the disease in this country, but from its similarity to the disease which ravaged our herds in the last century, and to that which now prevails in some parts of the Continent, it is probable it was brought to this country from some part of Europe by cattle brought into London or other ports. Therefore, this is a matter of permanent importance. It may be necessary hereafter to lay down permanent rules with respect to cattle brought by sea into this country, but I will now state what we propose to do at present, and for a limited period. The amount of importation just now is smaller than at other times of the year. As a temporary measure, we propose that the other ports in the country into which cattle are brought from any part of Great Britain or from abroad should be placed on the same footing as London as to the prohibition to remove the cattle from the place where imported. With regard to that prohibition, the remark I made just now as to Liverpool occurs again—there may not perhaps be the necessary facilities at some of those ports to slaughter all the animals brought into them; but it must be remembered that the importation into other ports is small. London is the great port of importation, and in London facilities for the purpose I have mentioned exist. Therefore, we think that for a limited time the House may be asked to sanction the regulation that cattle should be slaughtered at the port to which they are brought, and that the dead meat only should be removed. If the owner should be unwilling to agree to such a regulation, he would be at liberty to re-embark the cattle; but if they should be re-embarked and taken to another port, they would, of course, be subject to the same regulation there. We do not intend, however, that this regulation should apply to Irish cattle, because we know that Ireland is free from the disease. The Irish cattle come chiefly to Liverpool and ports near it, or to Bristol; and if they go into the markets where there are other beasts they must be subject to the general regulation as to slaughter, but if not taken into the market, they may be taken by rail to other places where there are licensed markets for slaughter. By this means a large amount of meat is conveyed to towns in Lancashire and Yorkshire which depend much on Irish cattle for the supply of that food.

LORD ROBERT MONTAGU asked, with regard to store cattle from Ireland, if they would be allowed to be sent to the graziers in England?

SIR GEORGE GREY: There is no provision expressly applying to that subject, but the restrictions in force in any district will apply to this class of cattle. The Bill will be limited as to the time of its operation, and will continue in force until the 1st of July, 1867. Some of the provisions, however, will be limited to a shorter period—namely, two months, with power given to the Queen in Council to extend by Order in Council those special provisions from time to time. At present we propose that they should continue in force until the 15th of April. It is impossible to speak with any certainty as to the effect of these regulations, but we hope they may produce the desired effect. If, unhappily, it should be necessary to continue them for a longer period, it would be inconvenient on every occasion to apply to Parliament for power to continue them, and therefore we think that Parliament would do well to give to the Queen in Council the power to extend any of these special regulations for a longer period.

I will not detain the House by specifying the various regulations to which I have referred respecting, among other matters, the disinfection and cleansing of railway trucks in which beasts are carried. I must, in justice to the Government, say that the Bill introduced in 1864, which was prepared in the Home Office, and which was referred to a Select Committee, which contained provisions for ensuring the proper treatment of cattle and proper care in their movement failed, in consequence of the opposition of the agricultural interest and of those concerned in the cattle trade. ["No, no!"] The hon. Gentleman the Member for Northamptonshire (Mr. Hunt) says "No!" and I must certainly do him the justice to say that he was not a consenting party to its being dropped, but he was unfortunately absent when this course was taken, in consequence of the nearly unanimous wish of the Committee. My hon. Friend will, at a later period, introduce a Bill on the subject, and I hope that it will receive a favourable consideration, and that the regulations made on the subject will be of a permanent character. There are also regulations to be enforced with respect to the destruction of manure and other articles which have been connected with diseased cattle. They are included in the Orders of the Privy Council, but will also be embodied in this Bill. There is also a power given to local authorities to extend the regulations in their districts to other animals besides cattle. On this point there is great difference of opinion, and there is a difficulty in acting uniformly in the matter, owing to the different circumstances of different parts of the country. For instance, the effect of subjecting sheep to the same stringent regulations as cattle would be in some parts starvation to the flocks and ruin to the farmer. We therefore leave that matter, as now, optional with the local authorities, believing that they will act with a due regard to the different circumstances of their respective counties. We propose to remove the doubts which have arisen in reference to the penalties, under the existing Act of Parliament. Under that Act there is a penalty of £20 for every breach of the Orders of Privy Council; and the question has arisen, whether the penalty is cumulative—whether in the case of a herd driven on a road, or a truck load conveyed by railway, it is leviable per head for each beast, or only leviable for the whole number. The advice given to magistrates has been that they might lay a separate information for each separate head of cattle, convict upon each, and leave the persons fined to ask, if they chose, for a case to be stated to the Queen's Bench. We propose in the present Bill to retain the penalty of £20 in the case of any number of cattle not exceeding four in number; but if the herd should consist of a greater number, then the penalty of £5 should attach to each head of cattle. The case, I am told, has actually occurred of the drover of a large quantity of cattle crossing the border from Scotland to England tendering payment of the penalty of £20, which he thought it worth his while to pay, to enable him to move the cattle. It is to meet such cases that this provision has been introduced.

We propose, also, to afford facilities for holding general sessions for the purposes of this Bill. I addressed a circular to the chairmen of quarter sessions, suggesting that, in order to obviate the inconvenience which might arise from the transfer of powers from the petty to quarter sessions, owing to the infrequency of the meetings of quarter sessions, they should exercise the power of adjournment from time to time, as has been often done in some counties. From one county I had a letter addressed to me almost immediately after the holding of the quarter sessions, telling me that they had not adjourned, and asking for an Order of the Privy Council to correct an error they had committed. I said, in reply, the proper course would be to convene the general sessions, as they had not adjourned. But the law on the subject of convening general sessions is obscure. I believe the law is that a notice of a fortnight or three weeks must be given before they can be held; they must be convened on an application to the lord-lieutenant; and they must be subject to all the incidents of an ordinary session; so that it would be necessary to summon jurors from all parts of the county, as if they were about to deal with ordinary sessions business. We propose, that for the purposes of this Bill, permission should be given to two magistrates to convene a general sessions. We further propose that local authorities should be enabled to form committees, with power of performing the duties imposed on the local authorities by virtue of this Act. This has been proposed in Scotland, and it has already been adopted in some counties, among others, in the county, I believe, which you, Sir, represent. It has been suggested, and I think it a useful suggestion, that there should be associated with committees of the local authority other persons, such as tenant-farmers. With this view the Lord Advocate has prepared a clause as to Scotland, which will be embodied in the Bill. We propose to enable the local authorities to do the same in England. The only restriction will be that such persons shall be rated occupiers within the district for which they are to act. It is also desirable that facilities should be given for combined action. The law has already recognized this principle. Counties may unite with counties or with boroughs for certain purposes, such as the building of asylums and other objects of public utility. This combined action is effected by means of a joint committee, and we propose that the same power shall be given to counties or boroughs to appoint a joint committee for the purposes of this Act.

I now come to what I must admit to be one of the most difficult parts of the subject with which we have to deal, and with reference to which I cannot lead the House to suppose that we can deal with it in a manner altogether satisfactory to ourselves; for every mode of dealing with it which has been suggested seems open to difficulties. At first the objections appeared nearly insurmountable; but we have been led to the adoption of that course which, on the whole, after much consideration, appeared most practicable, though not free from objection. I refer to the fund for compensating the losses sustained by animals slaughtered by order of the local authorities, and for paying the expenses of giving effect to this Bill. On this subject we have not been much assisted by those bodies from whom we have received really valuable assistance on other points, and it is not unnatural that they should wish not to commit themselves to any specific proposal. The large deputation we received from the conference held in St. James' Hall, which was said to represent forty-four counties of England and Scotland, distinctly said they had no opinion to offer on that subject. They left it to the consideration of the Government and the wisdom of Parliament. There were members of that deputation who did express an opinion, but it was only an individual opinion. As far as the conference went, no resolution on the subject was come to, and we are quite in the dark as to what they thought the best mode of raising the fund for compensation. But the Royal Agricultural Society, in one of those resolutions to which I alluded just now, distinctly point to the county rate as the source out of which the fund ought to be provided. The Scotch Chamber of Agriculture and the Highland Society suggest that a portion of the fund should be derived from local sources, and a portion from the public funds. There have been other suggestions pointing to local funds, and admitting the great objection there is to look to the Consolidated Fund for compensations for losses of this kind; but no very specific or definite proposal has been made, except that of the county rate for counties, and the borough rate for towns. The objections to charging the Consolidated Fund with these expenses appear to us conclusive. The principle of applying to the public fund to compensate for private losses is in itself a very dangerous one to admit. Even in the case to which I alluded the other night of the very limited compensation granted from the Consolidated Fund in the last century, much fraud and recklessness were found to result from it, and it should operate as a warning rather than an encouragement to repeat the experiment. The Commissioners in their first report were unanimously of opinion that this principle was altogether inadmissible. We have had also from Scotland the proposal that the rate should be laid on lands and hereditaments—which is similar to what a county rate would be in England—and that that rate should be equally divided between the owner and the occupier. We are indebted to the hon. Member for North Lincolnshire (Mr. Banks Stanhope) for the suggestion he made the other night, which showed that he was actuated by the sincere desire of contributing to the solution of the difficulties connected with this subject, and not by any desire to find fault, although he was perfectly entitled to criticize the conduct of the Government in the course they had pursued. The principle on which his proposal was founded, I believe, is perfectly sound—namely, that the losses occasioned by the slaughter of diseased animals, and the expenses requisite for carrying into effect the provisions of the law for checking the disease, ought to be borne to a certain extent by the whole community, because the whole consuming and producing population are interested in checking the disease; but that a special burden may be fairly thrown upon those on whom the loss primarily and immediately falls. He proposed, therefore—and in principle it is what we recommend—that in counties the county rate should furnish part of the fund out of which the compensation should come, and in boroughs, the borough rate; that the proportion in which the burden should fall on these funds should be two-thirds, and that the remaining one-third should be borne by the cattle owners. No doubt it will be difficult to give effect to these provisions. We have prepared clauses with this object, which are probably not free from objection; but the House will be called upon to decide whether the principle be a sound one, and whether it be practicable to give effect to it. What we propose is, 1. that a cattle rate should be imposed on all cattle one year old and upwards; 2. that the rate should not exceed in any one year *5s.* a head in respect of such cattle; 3. that the rate may be levied at intervals of time not less than three months; 4. that the local authorities shall be enabled to require a return of the greatest number of cattle possessed by any person within their district on any one day before the return, for the purpose of assessment; 5. that any person making a false return shall be liable to a penalty of £20 and double the amount of rate; 6. that the rate shall be collected by persons appointed by the local authorities; and 7 and 8. give an appeal to any person aggrieved to the petty sessions in the first instance; and thence to the quarter sessions. The Bill also gives a power to the local authority, where the rate exceeds a certain amount, to borrow money from private sources, or from the Public Works Loan Commissioners, with the sanction of the Treasury, repayable in instalments within a period not exceeding seven years. One consideration connected with the imposition of this cattle rate is that those who have been the great losers by the cattle plague will not be called on to pay it, except on their remaining cattle. The cattle rate will, therefore, operate as a species of insurance on those animals to be hereafter slaughtered by order of the local authority; but, with regard to the county rate, we have felt the hardship of imposing the rate on all occupiers of farms, however severely they may have been visited by the cattle plague, and however ruinous the losses they may have sustained. We think it right, therefore, to submit to the House a proposal, I admit doubtful in principle, and difficult to give effect to in practice, but a principle almost essentially connected with the imposition of the rate, that where before the passing of this Act any person shall have suffered so great a loss of cattle by the plague, in respect of which he is not entitled to any compensation under this Act, as to entitle him in the opinion of the local authority to remission of the whole or any part of the rate, the local authority may make such remission. That will be a question for the consideration of the House. I have thought it right to mention it because it is a new principle, except as applied to the remission of poor rates in the case of persons too poor to pay. [Mr. BAILLIE COCHRANE: Will the compensation be retrospective?] Yes. We propose that the compensation shall be retrospective in respect of animals slaughtered by order of inspectors appointed by the local authority and acting under authority derived from the Orders in Council, while the Order for slaughter remained in force.

I think I have now stated all the main provisions of the Bill. There is a good deal of detail in it, and it may be necessary to add to its provisions; but at present we confine ourselves to those which we think essential under the present circumstances of the country. Some of them may be considered more immediately requisite than others, and it might be advisable, if such be the opinion of the House, that the Bill should be divided into two parts, and that those provisions to which a general assent is given should be passed at once. I do not now propose that course, because I think the House will be better able to consider it when hon. Members have seen the Bill, which, I hope, will be in their hands to-morrow, though not, I fear, at the ordinary time for the delivery of Parliamentary documents. The Bill is already in print and undergoing revision, but I think it better to delay its presentation till to-morrow afternoon. With regard to Scotland, I will only observe that several clauses have been prepared by the Lord Advocate which will apply to that country. I have not touched fully on them because I am not so conversant with the laws and practice of Scotland; but if in the discussion of those clauses any explanation should be required my right hon. and learned Friend will afford it. As to Ireland, I stated the other night the course which the Government have hitherto taken. I have had frequent communication on the subject with the Irish Government; and though the disease does not at present exist in Ireland, we have thought that a Bill ought to be prepared for that country which, though not different in principle from the English one, will be different in its details, in consequence of the difference of the circumstances of the two countries. My right hon. Friend the Attorney General and my hon. and learned Friend the Solicitor General for Ireland are now preparing such a Bill for the consideration of the Lord Lieutenant and the Government. With respect to the committees which are to be formed by the local authorities, it is important that I should point out that under the Bill they will be executive committees only, and that they will have no power of imposing a rate. As to the time of the second reading of the Bill, I am quite in the hands of the House. All I can say is, that the Government are desirous the Bill should be read a second time as soon as possible; and therefore, if the House will allow me, I will fix the second reading for Wednesday. If, after seeing the Bill, the House should be of opinion that further time would be desirable, of course it will be impossible for me to ask them to read it a second time on Wednesday; but I would request the House to allow me to fix it for that day, in the hope that we may consider it *de die in diem*, with the view of passing at least the more important provisions with the least possible delay. I thank the House for the patience with which they have listened to me. I have ventured to state the general principles of the measure, and I hope that when hon. Members shall have had an opportunity of seeing the Bill, they will be of opinion that it is calculated to check, as far as possible, the extension of this great calamity.

MR. HUNT wished to know from the right hon. Gentleman whether he proposed that in all the counties throughout Great Britain, independently of the will of the local authorities, animals should not be removed by railway without a licence.

SIR GEORGE GERY: We propose that they shall not be put on a railway without a licence, the conditions of which are to be prescribed by the local authorities; but this will not apply to cattle passing through. Thus, if cattle should be passing through Northamptonshire, the magistrates would not have power to stop them *in transitu*. Will the House permit me to observe that I made inquiries as to the form in which this Bill should be brought in, and I found that the Bill giving authority on these matters to the Privy Council was brought in not in Committee, but on leave asked in the ordinary form. The two Bills of 1864 were also brought in without a Committee. I believe the only case in which a Bill of this nature was introduced in Committee was that of a Bill affecting the importation of cattle. This Bill does not affect importation. It only affects foreign cattle after they are brought into this country, and then it deals with them just as it does with cattle from any part of Great Britain. I have, however, just received an intimation on the subject. I do not know whether it has come from you, Sir, but if there be the slightest doubt on the matter, I presume the House will allow me to alter the form of the Motion. I therefore move, Sir, that you do leave the Chair, and that the House do go into Committee to consider the Cattle Diseases Act.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. BRIGHT wished to ask the right hon. Gentleman whether in cases of compensation each county would be independent within its own boundary; or whether the funds of all the counties would be put into one joint fund for general assistance throughout the country.

SIR GEORGE GREY replied, that the funds would be locally raised and locally distributed. When he spoke of a Joint Committee, he did not mean one to act for the whole country in respect of funds. He might observe that a strong opinion had been expressed in favour of those funds being locally raised and locally administered.

Mr. GEORGE CORNWALL LEGH asked whether power would be given to the local authorities to superintend the burial of cattle condemned and destroyed. In the county which he had the honour to represent (North Cheshire) the cattle are dying at the rate of 700 or 800 a week, and unless great powers were given to the quarter sessions he feared the mode of disposing of the carcases might occasion danger.

Sir GEORGE GREY replied, that one of the provisions of the Bill required that in every case, whether of an animal which had been slaughtered in consequence of being affected with the disease, or of an animal which had died of the disease, an Order was to be issued for the burial of such animal. There was also a provision giving local authorities power to acquire land in which to bury diseased cattle. This latter provision had been introduced in consequence of persons having refused to allow diseased animals to be buried on their land.

Mr. WATKIN inquired whether the Bill proposed to tax property in the towns and counties for the purposes of the Act.

Sir GEORGE GREY replied, that the incidence of the county rate would apply as in any other case. It might not be necessary in some cases to make a new rate, because in some counties the expenses under the Act might be very small. In others it might be necessary to levy a new rate, and it was clearly intended that it should be levied in accordance with the ordinary incidence.

Motion *agreed to.*

Cattle Diseases Act in Committee.

(In the Committee.)

Moved, That the Chairman be directed to move the House that leave be given to bring in a Bill to amend the Law relating to contagious or infectious diseases in Cattle and other animals.—(*Sir George Grey.*)

Mr. HUNT: I feel that I have taken a very unusual course in giving notice that I should, notwithstanding the announcement of the Government measure, move for leave to introduce a Bill on the same subject, but the circumstances of the case are very peculiar, and I trust the Committee will think they are such as justify me in the course I have taken. We have been for weeks and months using every endeavour to induce the Government to take some decisive step to check the cattle plague. Gentlemen who take a great interest in this question have besieged the Home Office with deputations from public bodies—they have approached the Government with entreaties—they have used every means in their power to urge the Government to more prompt action in what they believe to be a great emergency, but up to the time of the meeting of Parliament, without effect. They have to a certain extent dragged the Government on step by step. Inch by inch—by Orders in Council coming out about once a month—power was given to the country gentlemen to regulate the movement of cattle, they all the time saying that they did not want that power, and asking the Government to take the responsibility upon themselves. And what was the state of things when Parliament met? From the speeches delivered by Members of the Government on the first night of the Session, the country was not led to expect that the Ministry would introduce any Bill worthy of the occasion. From the speech of the Secretary of State for the Home Department—I do not refer to the speech just delivered by the right hon. Gentleman—and the speech of the Under Secretary, I came to this conclusion—that the Government never have appreciated the magnitude of the calamity impending over the country. From the former speech of the right hon. Gentleman I gathered this—that in his opinion the calamity was only a partial one—that it only affected part of the community, the agricultural interest, but he appears now to have realized its magnitude. From the tone of the speeches addressed to the House on the occasion to which I refer, I was not satisfied that the Government would lay on the table a Bill worthy of the occasion. Under ordinary circumstances it would have been proper to wait and see what the measure was, and if it were not satisfactory to try to defeat it, and introduce one after the Government Bill had been disposed of. But time is of the greatest consequence in this case. Had I waited till the Government measure was on the table, and the House should not have been satisfied with it, I might have had to wait a whole week in order to prepare another. In this case a week is of vital consequence. It is under these circumstances I have taken the unusual course of announcing a measure in competition, if I might say so, to that which the Government were about to introduce. I have no party and no personal feeling about this matter. My sole object is to get the very best measure that can be devised, and to have it passed at the earliest opportunity. From the speech of the Secretary of State for the Home Department, I am convinced that the right hon. Gentleman has been educated in this matter by the deputations which have waited upon him during the last few days, and has begun to think it a more serious evil than he did before. The right hon. Gentleman has just announced a measure more stringent than he would have announced on the first night of the Session; but still it is not stringent enough. I must, therefore, ask leave of the Committee to place my own Bill upon the table, not necessarily with the view of its being proceeded with, because the Government Bill is a very complicated one, and I am not sure that I understand all its provisions. All I can say is that if, when the Government Bill is printed, it shall appear to be one which can be converted into such a measure as ought to be passed, I will give every assistance to the Government in passing the Bill after it has been properly amended. If, however, it should prove on examination to be a measure which will not satisfy the demands of the country, I shall ask leave to proceed with the Bill which I have asked leave to introduce. It would then be my duty to ask the House to reject the Government Bill and to accept my own. It has been my lot for some time past to spend nearly half of every week in considering what orders were to be issued in my own county, and I would ask hon. Members who have not bestowed so much attention on the subject to look at a map which I have asked permission to place in the Library of the House. On that map the centres of infection in this country are carefully marked, and, though there may be some defects in it, substantially it is correct. Now, I think that if any Member would look at that map he will be appalled at the state of the country. I maintain that this is not a question which affects the agricultural community alone. I represent a great grazing county (Northamptonshire), where there are hundreds of graziers whom ruin stares in the face. I protest against this question being considered as merely a local one, or as one affecting one interest in the country. When the agricultural interest suffers we all know that that of commerce, and of the great mass of the people, suffers also. For my own part, I believe that no calamity ever fell upon a large class which did not re-act upon every interest in the country. I would instance the cotton famine, though in my judgment that was far less a national question than the cattle plague, because the latter relates to the food of the people. I employ the term "food of the people" because it was used the other night by my right hon. Friend the Secretary of State for the Home Department, who said he thought we ought to feel a difficulty in aiding the agricultural interests because we were dealing with "the food of the people." Now, in my opinion, that is the very reason why we ought to give the matter the gravest and earliest consideration. The question is one which will affect the animal food to be eaten by the people for a long period to come—it might be for the next ten or fifteen years. I would ask leave to read some statistics compiled by the veterinary department of the Privy Council respecting the progress of the disease. Up to the 4th of November last the number of cases of cattle plague reported to the Privy Council was 20,897. I have procured a list, week by week, of the number of cases which have occurred from that time to the present, and it shows the following figures:—In the first week, 3,194 cases; in the second, 3,341; in the third, 6,551; in the fourth, 5,731; in the fifth, 7,485; in the sixth, 8,187; in the seventh, 8,207; in the eighth, 9,956; in the ninth, 8,508; in the tenth, 12,199; in the eleventh, 12,842; and in the twelfth, 13,642. In the next week—being up to the third of February—the Return shows an apparent decrease, the number being 11,443; but it ought to be observed that there is a note appended to the Return to the effect that it is not to be trusted, because between 200 and 300 inspectors have failed to send in returns, and the officers of the Privy Council are of opinion that there has been no falling off whatever in the number of cases. I instance these figures to show that with the most stringent powers they will fail to arrest the disease if this is allowed to continue. I say "allowed to continue," because I believe much may now be done to check the disease. If Parliament had been called together two months ago, and Government had asked the House for powers to stamp out the disease, by preventing the removal of cattle from one quarter to another, they would have had them. If, however, they allow the disease to progress at this rate, it will soon become not only a question for the meat producer but the meat consumer. I ask the right hon. Gentleman not to think too much of the outcry which may be raised by the populations of large manufacturing towns. I have always thought it to be the duty of a statesman to put up with any amount of clamour if he feels that he is doing his duty to the country at large; and it is the duty of the right hon. Gentleman now to disregard any outcry from the meat-consuming centres of population, directed against the measures they may take for promoting the interests of every class. I do not, however, believe that there will be any outcry from the large manufacturing towns. I have a greater trust in the intelligence of the working classes than the right hon. Gentleman has, although he is going to give them the franchise, and I believe they will understand that if the present price of meat be raised by any Act we are going to pass it is for their interest in the future. I protest against starving the meat eaters of next year in order to satiate the meat eaters of this year. It will be necessary to put some restrictions upon meat now, in order that we may not be utterly dependent upon the foreigner for the next few years to come. The Bill of the Government is, as I stated before, extremely complicated in its details, and I may not have quite followed the right hon. Gentleman; but I confess that that portion of it which still leaves it permissive to the local authorities to adopt the general regulations did not appear to me satisfactory. Take the case of an infected county adjoining an uninfected county. In the latter the statutory regulations are not adopted. What is the consequence? Over the next hedge might be a case of cattle plague, and before the statutory regulations of this Bill are adopted the free county might become affected and the seeds of the disease spread throughout its whole length and breadth. Then we have the question of railroads; and whether I press on my own Bill or support that of the Government I shall do all in my power to prohibit altogether the removal of live stock by railway. I consider railway trucks, pens, and platforms are the surest means of infecting the cattle placed in them. I believe all the attempts hitherto made to disinfect them have utterly failed. There should be a clear month or more in which they should be entirely disused, and during that time they should be thoroughly cleansed and disinfected under official supervision. Until that is done we shall not have got rid of the most fruitful means of spreading this disease throughout the land. Then, again, with regard to the prohibition of traffic. The right hon. Gentleman has said that no county has yet absolutely prohibited the removal of cattle, without any exception.

Sir GEORGE GREY: I did not say that no county had prohibited removal. I said that almost all had allowed the movement of cattle to a certain extent. There may be one county which has prohibited it entirely, but I am not aware of it.

Mr. HUNT: I was not going to contradict the right hon. Gentleman, but I understood him to say that all the counties allowed some movement of cattle.

Sir GEORGE GREY: Yes, and I used it as an argument to show that those gentlemen who are most conversant with the practice of counties, and who are quite as desirous of checking the disease as the hon. Gentleman, did not feel it right to enforce absolute prohibition.

Mr. HUNT: That is done in my own county, with my consent, and I am myself responsible for the wording of the orders which are in force in Northamptonshire. But consider the position we were in. At the time we were asked to make the order we found that cattle were removed without check throughout our county. At that time under the Orders of the Government we could not stop cattle going by railway through the county, we could not stop animals that had been to London and came back infected from entering the boroughs in the county, where they would be handled by butchers, who would proceed from those boroughs to the farms. It was with reference to those Orders of the Government which we could not contravene that we made these exceptions, allowing the movements of cattle under certain conditions. If we had prohibited the movements of cattle, the owners would have said that the butchers could go to London, buy beasts, and slaughter them in the boroughs of Northampton and Peterborough. That is stopped now; but we had besieged the Government with letters and representations, and the prohibitive Order was issued only on the 6th instant. But for the Orders made by Government those relating to cattle traffic in Northamptonshire would have been different. In moving cattle under licence we have two evils to guard against—fraudulent declarations, and declarations untrue in fact, but made in ignorance. Besides these, there is that of carelessness on the part of magistrates, some of whom will sign anything put before them, while others will sign anything that any one else has signed. [Sir GEORGE GREY: The great unpaid.] Even among the great paid I have found gentlemen willing to sign things which, if they had done their duty, they would have left alone. When a beast exhibits incipient symptoms of the plague, the owner, not knowing positively that it is the disease, will get rid of the animal, if he can, before he does know it; and during the two or three days of doubt, I can conceive that even a tolerably scrupulous man would, under certain circumstances, sign a declaration that the beast was not infected. I do not say that a highly scrupulous man would do so; but directly any movement is permitted risks are incurred from fraud, ignorance, and carelessness. But supposing that the declaration of freedom from infection were true, and licence to be properly granted, when an animal is put into a railway truck can it be said that it is healthy any longer? It might be infected from the moment it entered the truck, and I believe there are many instances of animals that have never exhibited a symptom of the cattle plague doing so almost immediately that they were driven into trucks. Then, conveyed through the country at many miles an hour, they carried infection into the fields and farmyards which they passed. I see that the Chancellor of the Exchequer shakes his head; is it his opinion that infection is not so carried? [The CHANCELLOR of the EXCHEQUER nodded assent.] The question has been put to me by the Secretary of State for the Home Department, "Can you prove that animals passing along the railway communicate infection?" and my answer was to this effect, "With regard to infection you can prove nothing to demonstration; but we are morally certain in Northamptonshire that animals located beside railway lines have taken the infection from cattle trucks." In every case in the county that has been brought under my notice, with the exception of one mentioned to me by letter to-day, we have been able to trace the origin of the disease; and, along the railway, in most cases, the spread of it could be traced to no other cause than trucks passing along the line, and we were therefore convinced that this was the way in which infection was communicated. If that be so, is it not an argument for stopping the movement of cattle by rail as well as by road? Then comes the question as to how the centres of population are to be fed. I think all the difficulties in the way of establishing dead-meat markets in the place of live stock markets may be overcome. I have heard of railway companies who are prepared to convert their cattle trucks into trucks for meat, and who are prepared to establish dead-meat markets at their termini. I believe the North-Western Company, having involved themselves in penalties through ignorance of the Orders in Council, have absolutely refused to carry hides, and are considering whether they ought not to refuse to carry cattle. I come next to the question of markets and fairs. I have to find fault with the plan of the Government, for it makes exceptions of large towns. The effect of holding these markets and fairs will be that infected beasts will find their way among the healthy, and in that way the plague will be communicated. The butchers who went to these markets and freely handled the cattle thus spread the plague. Often animals in the market did not show any symptoms of the disease, yet before they were killed these symptoms appeared. It was no fanciful notion to suppose that the disease might be spread in this way. I read in a newspaper the other day a case of infection which had arisen from a packing cloth which had been brought from London, and which was worn as an apron by the person who milked the cows that became infected. I have heard of numerous instances in Northamptonshire of cattle plague introduced by people who had had the curiosity to go and see infected beasts. A case occurred in my own neighbourhood. A young man went to bring his sister home from a farm house in Huntingdon, where she was on a visit, and while there he went to look at the beasts. He then drove home, walked about his own farm-yard, and communicated the plague, which spread almost up to my own door. In fact, I have been living in an atmosphere of cattle plague for some time. The subject has occupied my attention almost exclusively for many weeks, and I have seen almost every one in the county interested in the matter. With regard to slaughtering animals on farms, I agree with the Government that all infected animals ought to be slaughtered, and that all animals exposed to infection, according to the degree of exposure, ought to be slaughtered. With regard to slaughtering other animals, I am averse to their being sent to the railway station to go to market. There might be difficulty about slaughtering on all farms, and nuisance might arise from it; but on the larger farms it could be done easily, and the difficulty on small farms would be reduced by the provision of additional slaughterhouses throughout the country. I shall now proceed to unfold the scheme which I propose, with the permission of the House, to introduce, and trust the Government will assent to my doing so. In that scheme are embodied the various principles agreed upon almost unanimously at St. James' Hall on Thursday last, and some merely skeleton resolutions I have worked out in detail and seek to give effect to. I am bound to acknowledge the very great assistance in preparing this measure which I have received from hon. Members sitting on both sides of the House. I have never known an occasion on which hon. Members have shown themselves so willing to sacrifice any personal crotchets they might entertain to secure the common object which we have in view, or more willing to relinquish a great portion of their time to assist one who, in the majority of cases, is politically opposed to them.

THE CHAIRMAN: I am bound to point out to the hon. Member that the House is now in Committee upon the Bill introduced by the right hon. Baronet. The hon. Member for Northampton has given notice of a separate Bill, which he will naturally introduce on another occasion.

MR. HUNT: I was under the impression that we had gone into Committee on the question of the cattle plague, and that the right hon. Gentleman opposite had moved for leave to introduce a Bill upon the subject.

THE CHAIRMAN: The question before the Committee is, that I be directed to move the House that leave be given to bring in a Bill.

MR. HUNT: I am always anxious to keep myself within the limits of order, and to support the authority of the Chair. Perhaps, therefore, I may be permitted to put the matter in this way:—If I were going to introduce a scheme, instead of that proposed by the right hon. Baronet, I should do so after this fashion. The scheme would divide itself into two points—the first having relation to the localization or restriction on the movement of cattle, the other to their compulsory slaughter and the amount of compensation to be paid for them. From the 1st of March, when the present Order in Council will expire, to the 25th of March, no movement of cattle whatever should be allowed to take place in any county, infected or uninfected, by railroad or road, with this exception, that on a man's own farm he should be at liberty to move his cattle from field to field, provided they did not go more than 200 yards on any highway. That exception would be necessary, because homesteads very often are situated on a different side of the road from the pastures, but within the limit proposed it would be hardly probable that cattle belonging to two different farmers would encounter each other. That slight exception I know is a departure from the terms of the resolution carried at the conference, and if necessity be shown to warrant such a course, I should be prepared to strike out the exception, but my own opinion is in favour of its retention. With regard to the difficulty suggested by the right hon. Gentleman as to slaughtering on the farm in such a measure as I advocate, I would introduce one other exception from non-removal. I should like to see introduced a power to the parish officers, when required by a certain number of ratepayers, to provide a slaughterhouse in the parish. [SIR GEORGE GREY: Would you only have one?] One or more. In some cases the parish ought not to be required to provide more than one, because there might either be conveniences existing upon the farms, or possibly a slaughterhouse already in the parish itself. What I wish to see is, within a convenient distance of any large numbers of cattle fit for slaughter, a slaughterhouse, to which they could be taken to be killed. The advantage of that plan over the project of moving cattle into towns is that they would travel on a very limited space, and that all cattle travelling over the same piece of road would do so on the way to be killed. These are the only exceptions which I should like to see in any Bill up to the 25th of March. Then comes the question which the Bill of the right hon. Gentleman fails to deal with—that of change of tenancies. In some parts of the country these changes take place on Old Lady Day, the 6th April, in others upon New Lady Day, the 25th March, and I believe it to be absolutely necessary, in the case of such changes, that there should be some relaxation of the rule to allow the removals of cattle rendered necessary by such changes. [SIR GEORGE GREY: Hear, hear, hear!] The right hon.

Baronet cheers that sentiment, but I beg to notice that, in the scheme proposed by him to the House, the 1st of April is mentioned as the day. [SIR GEORGE GREY: I assume that the magistrates have common sense.] Some magistrates have common sense, and some have not, though, upon the whole, I believe a large amount of common sense guides the decisions of those magistrates ordinarily taking part in the administration of county affairs. I understood the right hon. Gentleman to say that, when the county authorities adopted his statutory rules, animals could be only moved under licence for slaughter.

SIR GEORGE GREY: The hon. Gentleman is quite mistaken. I said that in no case should cattle be moved by night, and that in other cases they should not be moved without a licence, which was to be granted by the local authorities in accordance with certain prescribed conditions. I hope the form of licence will be scheduled to the Bill. The provisions with regard to slaughter only affect the markets.

MR. HUNT: Am I to understand that under licence cattle would be allowed to travel during the whole of the period supposed to be covered by the restrictions?

SIR GEORGE GREY: Yes.

MR. HUNT: I had not read the provisions of the Bill in that light originally; but, as now explained, the Bill is far more dangerous than I had imagined. Magistrates, it seems, are to have the power of passing animals up and down through whole counties for any purpose whatever under a declaration as to a clean bill of health.

SIR GEORGE GREY: So they do now.

MR. HUNT: I think not. Not in most counties, at least.

THE CHANCELLOR OF THE EXCHEQUER: They will not be prevented from shutting them out.

MR. HUNT: Although most counties may favour relaxations in favour of cattle going to the railway or to the slaughterhouse, I hardly think they will endorse the proposal of the right hon. Gentleman, according to which cattle will be free to traverse the country under licence for any purpose. Far from such a measure being satisfactory to the wishes and opinions of the agricultural community, I am sure they will almost regret that such a Bill was ever put upon the table.

SIR GEORGE GREY: How do you propose to arrange as to cattle going from one part of the country to another when tenancies are changed?

MR. HUNT: I was about to explain that branch of the subject when I was led away from it by an observation of the right hon. Gentleman. Were I preparing a Bill one of the provisions which I should like to see introduced would be that between the 25th of March and 6th of April, inclusive, the owner or purchaser of stock on any farm where the occupation was abandoned or a change made in the tenancy should under licence from the magistrates, and upon a declaration as to a clean bill of health, be allowed to move his stock either to the farm belonging to such purchaser, or to the place to which such owner of stock removed upon the change of tenancy. The measure which I have sketched out I should like to see continued during the month of April. By that time warmer weather would be due, and a certain experience in the working of the measure would have been acquired. If Parliament were then sitting the Government should come to them for a further measure; if not, they should have power to issue an Order in Council discontinuing the measure, or reviving its operation, if that proved to be expedient. If the measure which I suggest were carried out and enforced, it would be necessary at certain periods of the year to allow movements of cattle for the purpose of stocking the land. [SIR GEORGE GREY: How about breeding?] I shall come to that question in its proper order; or I had better say at once that an exception for that purpose must find a place in any scheme. I believe it to be absolutely necessary to the carrying on the business of a farmer or grazier that there should be periods of relaxation, during which the occupiers of land should be able to purchase cattle to stock their land with. Fourteen days appears to be the most suitable period of relaxation, which should not be uniform all over the country, but the fixing of which should be left to the local authorities. With regard to these periods of relaxation, I should insist on very strict conditions. The cattle should only travel by railway, and by licence, and by that time railway travelling would be very different from the system now pursued. Every pen, cattle truck, and platform would before then have been thoroughly disinfected under official supervision. With regard to the second part of the Bill—namely, that which relates to the slaughter of beasts and to compensations, I shall not trouble the House upon the details, for the provisions of the Bill of the right hon. Gentleman are, to a certain extent, in conformity with what I should propose; but there is one point upon which the right hon. Gentleman did not touch. I should like to give power to the local authorities to employ an additional number of police as cattle police to act as inspectors.

Sir GEORGE GREY: The local authorities have already this power, and, in some instances, have availed themselves of it.

Mr. HUNT: But there will be no necessity to put them in uniform; so that this expense may be saved to the counties. A badge to distinguish them will be sufficient. With regard to the fund out of which the compensation ought to come, the measure which at first recommended itself to my mind was different; that a county rate should be raised for animals fed and slaughtered in the county, and a borough rate for animals fed and slaughtered in the boroughs; but the general fund proposed by the right hon. Gentleman satisfies me, though I will not pledge myself to the details. I cannot see my way to the machinery by which we should ascertain, in time for the working of such a measure, the head of cattle of each county, with the view of putting a poll tax upon them; but if the right hon. Gentleman does see his way to it I am very glad, and such a plan will have my concurrence. There was one part on which the right hon. Gentleman did not touch—namely, that with regard to the movement of manure. This is an important question; for the plague has been carried into various parts of the country by manure being brought from London by railway from infected sheds and yards. Up to a certain time there should be a prohibition against such manure being carried by railways. The right hon. Gentleman seems to think that I have a grudge against railways; but, in the case of cattle travelling by the road, you can find out the drover and stop the progress of other animals; but when they are once put on the railways they can defy the entire *posse comitatus* of the county. If cattle and manure be sent off by railway it is impossible to say what is their destination, and it is therefore absolutely necessary to prohibit the transmission of either by railway. I would suggest that a very heavy penalty should be inflicted on any person who brought along any road a load of manure which had been taken from any place infected with the cattle plague. I am not quite clear whether I understood the right hon. Gentleman to state that with regard to animals arriving in this country by sea he proposed that all should be slaughtered at the port of debarcation on a certain date, with the exception of those arriving from Ireland. I should like to know if that is what the right hon. Gentleman proposed?

Sir GEORGE GREY: Yes.

Mr. HUNT: Will Irish cattle be allowed to be sent by railway from the port at which they land to any part of the country?

Sir GEORGE GREY: Yes, provided they do not enter the market of the port at which they landed.

Mr. HUNT: No doubt the cattle might have left Ireland with a clean bill of health, but the vessel which conveys them might have previously carried infected beasts, or the cattle might acquire the disease in the transit. I do not think such an exception ought to be made with regard to cattle arriving from Ireland.

Sir GEORGE GREY: When they come to this country the licensing system will apply to them.

Mr. HUNT: The licensing system is based on declarations. Are such declarations to be made in Ireland?

Sir GEORGE GREY: Once the cattle arrive in this country they lose their Irish character. They come to Great Britain subject to the licensing system, and the licence must be given on this side. The hon. Gentleman will find in the Bill a form of the licence.

Mr. HUNT: I do not attach much value to the declaration of a man at Liverpool, for instance, who has just seen the cattle arrive. The owner in Ireland might say he knew the beasts for a certain length of time and that they were free from disease, but after they were put on board the vessel, who is to give them a bill of health at Liverpool? Is a cattle jobber to be trusted to give this necessary licence? It appears to me that licences granted on declarations made by people who know nothing at all about the cattle which are the subject of them are not worth the paper on which they are written. I think it will be a considerable risk to have Irish cattle landed under declarations such as I have described, and then removed to all parts of England. I have gone through the different portions of the scheme, which I should like to see introduced to the House. It has often been a reproach upon the Opposition Benches that they are very free of their criticism of Government measures, but that they never propound any measures themselves—that they have one policy, and that is to dislike everything that is brought forward, although they have no plans of their own. I have acted, as far as in me lies, so that no such reproach can attach to my party on this occasion. I confess, however, I do not like the Government Bill as announced. I have thrown out the sketch of such a scheme as I should like to see substituted for the Government measure. As to the suggestion of the right hon. Gentleman for engrafting on the Government Bill such Amendments as will carry out the views I have expressed, it is not possible for me at the present moment to offer an opinion, as I have not perused the Government Bill. I admit the advantages of such a Bill as I have sketched being carried by the Government, and the passing of it would not only be a pleasure, but a relief to me, and I should be glad to try and induce my friends to assist the Government in making the scheme as complete as possible. As soon as the Government Bill is printed, I will give my attention to it, and in concert with Gentlemen on both sides of the House, endeavour to promote the second reading of the Bill, with the addition of such Amendments as I and my friends may propose. But if I find that the Government Bill cannot be improved, I must be allowed to adopt my own course. I hope, at a future period of the evening, to introduce a Motion on the subject.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the hon. Member for Northamptonshire (Mr. Hunt) has referred to the educational progress which my right hon. Friend the Home Secretary has made on the subject before the House, but I think that taunt might have been well spared. I rise for the purpose of removing all manner of doubt as to the course which the Government are disposed to take with respect to this question. So far from being inclined to offer any opposition to the hon. Gentleman's Bill, the Government will regard it as a very great advantage to have that Bill laid on the table. I am sure I may say on the part of my right hon. Friend that he will be exceedingly happy still to receive any lesson from the hon. Gentleman upon this question, a question which to some is so practically plain and simple as that no rational man can differ about the proper course to be pursued, but which, in fact, in every day's experience, appears to be more difficult. With regard to the political part of the hon. Gentleman's speech, I must admit there is no man in this House who, professing certain political opinions, and always stating them manfully, is more watchful against any unnecessary effort of criticism than that hon. Gentleman. He has, indeed, made many charges against my right hon. Friend, or rather against the Government, but I am extremely anxious to do what was suggested by the hon. Member for Lincolnshire (Mr. Banks Stanhope)—separate the future from the past—for if we were to be fastidious, we should perhaps set a bad example in wasting the precious time of this House at a period when time is of the greatest consequence. By all means let the trial be made. Time is of the utmost moment in passing the Act proposed to-night by my right hon. Friend. The hon. Gentleman says he thinks this question was treated on a former night by the Members of the Government as a slight and a secondary consideration. But I am sure if the hon. Gentleman had been aware of the manner in which this subject has weighed upon the minds and upon the time of all the Members of the Government, especially those who have been conversant with it, he might have thought them chargeable with any kind of omission or error, but he would not have charged them with underestimating the importance of the subject. No doubt, this is a calamity of a character most peculiar. In one sense it is quite obvious that it is not national, but partial. It is confined to certain counties and districts, and, in many instances, even in counties which have suffered severely, parts of those counties are comparatively free. On the other side, if we examine the range and sweep of this calamity, it is impossible to conceive anything more destructive. Many is the industrious and energetic man whose whole future has been darkened by the share of the calamity which has come upon him. Under these circumstances, then, it is the absolute duty of the executive Government standing in this House not to be too chary of their own reputation in regard to the past, but to overlook for the most part charges which they may think insufficiently sustained, in order that they may direct their exclusive attention to the consideration of one question—what is to be done. The hon. Gentleman says, having followed the careful statement of my right hon. Friend, that it is unsatisfactory. He assumes, as his basis of what should be done, the resolutions of the conference held in St.

James' Hall on the 8th instant. Of these, there are five operative resolutions; but with respect to four, there is no substantial difference between the hon. Gentleman and my right hon. Friend. On the second resolution there is a difference with respect to Irish cattle being moved inland; but with that single exception, I do not gather that there is any difference between them. With regard to the use of railway cattle trucks and cattle pens, I have no doubt that the hon. Gentleman will find either the provisions of the Bill satisfactory, or, at all events, founded upon principles which he would approve—that is to say, stringent provisions for disinfection, and summary and easy methods with regard to the enforcement of these provisions. Now, there is on one point a great difference of opinion between the hon. Gentleman and my right hon. Friend—I have some difficulty in describing it, because I frankly own I was not able to follow the hon. Gentleman. But he commenced his speech by denouncing the principle of the total prohibition of the movement of cattle for a limited time, which limited time he called two months.

Mr. HUNT: I divided it into two parts. The prohibition should be absolute, except for 200 yards along the road, up to the 25th of March, except upon a man's own farm.

The CHANCELLOR of the EXCHEQUER: That is what I thought the hon. Gentleman described as a period of two months. But he appeared to me to be considerably hampered and entangled with exceptions, and to make proposals with a view to giving effect to his own plan which were totally inconsistent with its character as a remedial measure. The hon. Gentleman said he felt himself pressed by the difficulty which had been stated by my right hon. Friend in a very clear and effective manner as respects the general introduction of a system of slaughter in the farms, which if it could be done would no doubt be the most effectual, for the slaughter of cattle in that way has been proved to be so. But the hon. Gentleman appeared greatly to underrate the difficulties of the plan which he proposed of a total prohibition of the movement of cattle, with respect to its requiring general or at least very extensive conversion of farms into slaughterhouses. The hon. Gentleman recommended that new slaughterhouses should be provided after the passing of this Act, and be built in time to be brought into operation, so as to enable all the arrangements of the past trade of the butcher to be adapted to them for a period which is to expire in two months.

Mr. HUNT: The right hon. Gentleman is perfectly right in that criticism as I expressed my views; but the fact was, I was several times interrupted from the Treasury Bench when I proposed to go more fully into the matter. I do not blame the right hon. Gentleman (Sir George Grey) for the interruptions, as he was anxious to obtain information about my plan. It was my fault. But I intended to say that there should be a difference of duration for part one and part two of the scheme; part two relating to compulsory slaughter, and that that part should extend to two years certain, and to the end of the Session of Parliament then next ensuing.

The CHANCELLOR of the EXCHEQUER: I am not venturing upon this as mere criticism, but the stringent part of the plan of the hon. Member, the prohibition of the movement of cattle to a man's own farm, except along 200 yards of a highway, was to expire on the 25th of March. But it is during the interval while that stringent provision is to be in operation that the difficulty will be most felt with respect to the supply of meat and with regard to the slaughtering of animals in farms and farm buildings. I confess it seems to me that the difficulty of carrying on the slaughter of beasts freely in farms as they are now constituted would be enormous. But what I want to call the attention of the hon. Gentleman to is this, he having paid great attention to this subject, and having studied it thoroughly with reference to the circumstance in his own neighbourhood. I think the hon. Gentleman in some degree forgets that in coming down to this House he will meet the representatives of every portion of the country, and he will find himself in conflict not with my right hon. Friend, but with them. I do not speak now of the representatives of towns, but of the representatives of different portions of the country, and from many parts which are free from disease. Now, Sir, if we are to approach this subject in the spirit and with the intention of every Gentleman stating strongly and warmly insisting upon his own particular view, we may just as well not approach it at all; because it is perfectly plain that the question we have to consider now is not merely what plan is the best in the abstract, but which is the plan which, being good in itself and promising on the whole the most important effects, can rapidly secure the approbation of Parliament. This is a question of infinite detail; and unless we are enabled to deal with it in a spirit of compromise, in a disposition to sacrifice that which we think best for that which the House in general is disposed to think good, I think there is but little prospect of our doing well. And now that we have at length the immense advantage of having enlightened representatives of the general opinion of the country collected within these walls from every portion of the United Kingdom, but especially from Great Britain, and now that we have out of doors a public opinion which is ready to adopt and sustain us, nothing, I think, could be more lamentable than if, in order to promote particular ideas to which we are attached from the special circumstances of our own neighbourhoods, we were to lose these precious moments, in which, under Providence, we may apply effectual measures of restraint to this great calamity. The hon. Gentleman expressed his opinion that if Parliament had been called together two months ago it would have been ready to support the Government in adopting the measures which he recommended. We shall have an opportunity of testing that opinion on going into Committee; because I do not think that the House is even now prepared to sanction the total prohibition of the moving of cattle. That is a most importan tpoint, which must be considered in Committee, and there it will be disposed of. We have good grounds for the firm and deliberate opinion which we entertain that even at this time it would be a great error to adopt the principle of total prohibition; but, nevertheless, we trust that that will be decided by the House after hearing a free expression of opinion. But with respect to its being likely to have been done two months ago, I must dissent from that opinion. I am perfectly certain that Parliament would not have entertained such an intention upon the authority which the hon. Gentleman brought forward. I further think it was but shortly before that period that an hon. Gentleman opposite, applying his mind to the concerns of his constituents, expressed great doubt and disapproval of such a measure, and especially of the total prohibition of the removal of cattle which the hon. Gentleman recommends. My object at the present moment really is earnestly to point out, while profiting by the measure of the hon. Gentleman where we can, the enormous importance of acting promptly in this matter, and of being prepared to sacrifice everything which it is not absolutely necessary to obtain. It is to be hoped that now, when the period for action has arrived, we shall not throw away this most precious season, but be able to pass a law which may assist in the mitigation of this most grievous disease.

MR. NEWDEGATE: I am one of those who are unable to join in the inculpation of the Government for want of promptitude to the extent that other hon. Members have expressed dissatisfaction, for it happens that I am connected with the Governorship of the Royal Veterinary College, and, therefore, had the earliest information of the danger which is now fully perceived. Yet, when in August, September, and October, in my own neighbourhood, I endeavoured to sound an alarm, I gained but little attention, even among my friends. Veterinary surgeons also, when they endeavoured to impress their clients with the danger that was impending, were treated as though they were only seeking for practice and for fees. But after the Report of the Royal Commission, I think that the Government showed less promptitude than I had expected. I think that after that Report, they should have enforced greater stringency. Now, let the House consider the nature of the Bill which the Government have introduced. This is a Bill not merely for an emergency; it comprehends provisions that are to last for years. I do not say that the provisions of the Bill are altogether inadequate, though I think that some of the provisions should be more stringent, and that there are some serious omissions. But my belief is that, if the Government intends to deal fairly with the House, and to act with that promptitude which I think necessary, it would have been far better to have proposed certain Resolutions to the House, and on the adoption of Resolutions with respect to cattle traffic and importation, that the Government should then have issued Orders in Council, based upon the Resolutions of Parliament in the first instance, and then should have based their Bill on these same Resolutions; such a course would have ensured a prompt passage through the House. My own opinion goes to a great extent with that of my hon. Friend (Mr. Hunt). Hitherto, I have concurred with my brother justices in thinking that the present restrictions upon the transit of cattle were enough; but the effect of the concurrent testimony given by the agricultural body, and the opinions expressed in this House, have shaken my opinion upon this matter. The Report of the Commission was in favour of the suspension of all traffic, and I beg the Government to bear in mind that during the next two months it is possible, without interfering with the supply of meat, or with the reproduction of cattle, to carry out restrictions which will be impossible after the next two months without interfering with reproduction and supply. For this reason I should have preferred the proposal of Resolutions upon which the Government might have acted immediately by Orders in Council. At this time the cattle are almost exclusively confined to the cow-yards; and, therefore, greater stringency in reference to removal would not be much felt; but in the next month or six weeks it will be essential that the grazing counties shall be supplied with cattle from the breeding counties, or the pasture of such counties as Leicestershire and Northamptonshire will be lost. My idea is that during a month after the next six weeks the removal of cattle by railways should, under strict supervision, be permitted. It is essential that the Government should take powers to regulate cattle traffic by railways. This traffic is largely conducted by night, and the speed with which it takes place renders it almost impossible to deal with it, or to obtain correct information as to whence the cattle came, or rather where they have been before they were placed in the railway trucks. It is to the vicinity of the county near the point of delivery of cattle brought by railway is the locality in which the danger occurs; and the Government ought to devise some measure by which, when cattle are placed upon a railway, there shall be some record of the market, or farm, or place, from whence they are brought, and, upon considering this information, a Government officer should have the right to refuse to allow the removal, or should send the information with the cattle for the use of the magistrates of the district in which the cattle is to be delivered. Without some such provision, I am convinced that the railways will continue to spread the disease. As to foreign beasts, what is needed is that certain ports shall be designated as the only ports at which foreign cattle shall be disembarked, and that at these ports they should be slaughtered immediately, or should be removed to lairs, which shall be treated as so many centres of quarantine. I think that it will be impossible for any lengthened period to slaughter every head of cattle delivered at the ports at once, but what we want is, that cattle shall only be disembarked at certain ports, such as London, Liverpool, and Hull, and that at these places there shall be a system of quarantine, and with an adequate staff of Government officers, who shall decide whether the cattle shall be slaughtered immediately, or shall be held there for slaughter, or shall, after a period of quarantine, be allowed to be moved away. I fear that the Government measure is so complicated that we shall not be able to pass it with that promptitude which is desirable, and I think that it falls short in two essential provisions—namely, that it does not propose to regulate cattle traffic by railway, and that it does not regulate the number of ports at which cattle may be disembarked, and provides no system of quarantine. I am strongly in favour of dead-meat instead of live-meat markets. For years it has been urged in the public journals that there is no greater danger to the health of the metropolis than slaughterhouses, and no greater nuisance in the streets than the passing of cattle through them; and it has been urged repeatedly in this House that there should be abbattoirs outside the town, and we have an opportunity of passing a law in favour of the largely increasing practice of slaughtering in the country. It is already a common practice round my neighbourhood to slaughter for the London market; and I cannot but see advantage in any restriction that would favour that practice. A permanent measure will have to be passed if the system of dead-meat markets is to be encouraged, for the measure must extend over some considerable period, or the arrangements for it cannot be made on account of the primary expense. A permanent measure is also required with reference to the importation of cattle. As the Continental system of railways is extended to the Steppes of Russia and into Hungary—the permanent seats of this disease—there will be increasing danger that the food of the people of this country may at any time be cut short by the importation of the disease. No circumstances are so favourable to the dissemination of the disease as when cattle are packed in railway trucks or on shipboard. The disease would, if thus disseminated, destroy first the imported cattle, and then the home-bred, infected by them, and an indefinite rise in the price of meat would, of necessity, ensue. I trust that the Government will adopt some permanent regulations as to ports. I wish to touch also upon the subject of compensation. It is idle to order the slaughter of cattle unless you compensate for the cattle so slaughtered. If you deprive a man of the exercise of his own judgment in the disposal of his own property, you must compensate him. In my own county I am happy to say we have established a mutual insurance association under the Limited Liability Act, and the last account I heard we had £240,000 worth of stock insured, and from day to day the quantity is increasing; and I think that if some such associations were formed in every county, you would have this advantage, that you would not need extra policemen, for every member of the association would be bound, in his own interest, to support the police. It would, in my opinion, have been wise to have encouraged the formation of such associations, and that Government aid should have been extended, if not as a gift, as a loan; and that every payment should be made to such associations by a percentage—say a third of the whole compensation made for animals dying by the disease. I believe such a system, by enlisting the spirit of co-operation, and insuring caution and exertion, as well as economy, by means of county insurance associations, would have enabled you to grapple more effectually with the disease than by any system hitherto advocated in this House. I wish also to observe that a heavy tax is levied upon every policy issued by these associations, and I think that it would be but an act of grace and justice if the Government were to remit that heavy tax, and thus afford, at least indirectly, an encouragement to exertions for staying this plague on the part not only of the authorities, but of every member of the agricultural body who becomes a member of such association.

MR. LEEMAN said, he wished to ask if, inasmuch as the county rate was levied solely upon the occupiers and not upon the owners of property; and as the evils that result from the cattle plague must, if it continue, fall largely upon the owners of property, and especially of agricultural property; the Government contemplated by this Bill giving to the tenant power to deduct any portion of the rate from his rent, and, if so, for what period?

SIR GEORGE GREY said, that the Bill provided that a tenant should be allowed to deduct half the amount of the special rate from the rent of his landlord, so that the burden might be equally divided between the occupier and the owner.

MR. CUMMING-BRUCE said, he could not express any decided opinion upon the clauses of the Bill; but he was quite sure that every Gentleman on both sides of the House would concur in rejoicing that Her Majesty's Government had at last, even at the eleventh hour, introduced a measure which would have the effect of relieving those concerned from the confusion caused by a multitude of authorities and jurisdictions from whom no uniform, consistent, or harmonious directions could be expected. It was only that morning that he had received a letter from the clerk of the peace for the county which he represented (Elginshire). The magistrates of the county had forbidden the use of the markets in the county up to a certain date, but the clerk to the magistrates at Elgin had stated in a letter that, unless the Morayshire Farmers' Club would guarantee compensation to those who sustained losses through the suspension of the cattle market, the magistrates of the town had resolved to take no steps to prevent the holding of the ensuing cattle market. He thought they might congratulate themselves on getting rid of this kind of local self-government. He was no more an advocate for centralization than was his hon. Friend the Member for Aberdeenshire (Mr. Leslie); but it should be remembered that the present case was exceptional, and of a character which could only be met by what his hon. Friend might term despotic, or, certainly, central action. He must say that he felt extremely glad that they had at last a measure presented by the Government which he thought might be made efficient and useful. Some points, however, he had hoped to see dealt with with greater force, and one of these was disinfection, which might be made very serviceable, and would certainly be regarded with greater satisfaction than the rude system of slaughter with the pole-axe. An eminent professional gentleman (Dr. Dewar) had detailed in a Stirling paper a simple and efficacious process of disinfection which he had tried with exceedingly satisfactory results on twenty homesteads in the counties of Fife and Forfar, where the disease had been very prevalent. It was grounded upon the fact that no disinfectant was so successful as sulphurous acid. A piece of sulphur about the size of a man's thumb, burnt in a brazier introduced into a fire, would entirely destroy the vitality or germ of infection. He had been informed by a friend of a very remarkable case bearing on this subject. It was that of a farmer who had two cattle-sheds about 1,200 yards apart. In one of those sheds the disease was raging with more than usual violence, and the cattle in the other shed were perfectly healthy, although the farmer was continually passing from the shed where the sick and dying cattle were, to that in which were the animals free from the disease. Not alone did he pass from shed to shed, but he often went into the shed where the healthy cattle were, immediately after handling the animals suffering from disease in the other. The gentleman from whom he heard that anecdote attributed the non-communication of a disease which every one knew was exceedingly contagious entirely to the fact that the farmer used the disinfectant suggested by Dr. Dewar, and to which he (Mr. Bruce) had previously alluded. This question of disinfectants was a most important one, and he earnestly hoped that, by experiments and otherwise, it would receive the prompt and best consideration of the authorities. As to the remuneration, he did not quite understand what had been done; and he would ask the Lord Advocate to state what was its proposed effect in Scotland. He considered that while, on the one hand, the Government were now taking a most proper course, on the other, it could not be denied that the spread of the disease was in no small degree attributable to the inaction of the Government, even after the receipt of the exhaustive and excellent Report of their own Commission. Such being the case, he thought that those who had suffered by the cattle plague had a right to look to Government for some relief and assistance. He held that the remuneration ought not to be confined to any particular counties, but that such part of it as it might be thought right to levy on the agricultural interests should be levied equally on every county in Great Britain, from the Lands End to John-o'-Groats, and ought to be a national measure. He would suggest that the funds out of which this recompense was to be paid should be derived, half from the farmers and landed proprietors of districts, and half from the public funds. By this system any trickery, any effort to obtain money under false pretences from this fund, would be effectually prevented, for the proprietors and farmers of the neighbourhood having to pay half the sum disbursed, would form an excellent amateur police, and would carefully scrutinize every claim that might be advanced.

Mr. REBOW said, he wished to briefly draw the attention of the House to a circumstance which had recently come under his notice, and which he thought of considerable importance. A short time since a vessel belonging to the Great Eastern Railway Company arrived at Harwich, in Essex, with cattle. One of these cattle was found, immediately after the vessel's arrival, to be suffering from the cattle plague, and the Government inspector directed the beast to be slaughtered and buried where it had landed. A hole was dug on the quay to receive the carcass, and the animal was just about to be slaughtered when the town authorities interfered, and refused to allow it to be killed or buried in Harwich. The animal was then put into a railway truck, carried seven miles along the line to the next station, and there slaughtered and buried. Now, he need not inform any practical agriculturist—any man who knew how contagious this disease was—that nothing was more calculated to cause the spread of infection than what had been done in this case by the servants of the railway company. It caused a regular panic among the farmers who lived in the neighbourhood of the station where the cow had been brought to, and the next day they crowded to the petty sessions, of which he was chairman, to complain of what certainly was a most improper act, an act for which the servants of the company had been brought up before the petty sessions bench and fined. As to the general question under discussion, he believed that the only way to check the epidemic was to entirely prohibit the moving of cattle, and to provide a quarantine and cemetery for all store cattle imported. He hoped that the Bill would contain a provision that all fat stock imported should be immediately slaughtered at the port of debarkation, and that quarantine ground and a cemetery should be provided for the store stock near the place.

Mr. LIDDELL said, he congratulated the House on the question before them not having become a party one. He believed that Members of that House were all, without any distinction of party, determined to put their shoulders to the wheel to do all in their power to check the spread of a disease which had already done so much injury to the country. He took the earliest opportunity of directing the attention of the Government to what really was a very serious matter. He had in his pocket a letter from a gentleman living near Edgeworth, who informed him that in the high road near his residence there were heaps of manure which had been taken from sheds in a town in which over 100 cattle had died of the plague. He need scarcely say that no course could possibly be taken better adapted to spread the disease than this. The matter was one that deserved, and he trusted would obtain, the prompt attention of the Government. Officials should be appointed, whose duty it should be to watch over the conveyance of manure, and see that every precaution was taken against unnecessary risk of infection. It would be most improvident and unwise to endeavour to throw the whole burden of the loss upon our posterity instead of meeting it ourselves; and, therefore, Government should be prepared to deal with the financial part of the question by means of a rate, and thus avoid the objectionable plans proposed out of doors founded upon a system of rent-charges. He thought a poll tax of *5s.* per head would effectually meet the requirements of the case.

LORD JOHN MANNERS: The right hon. Gentleman loudly cheered the proposition contained in the speech of the hon. Member for Northamptonshire that it would be necessary to have an open time after Lady Day next, when transfers of stock might be effected in cases where there was a change of tenancy. The conclusion I draw from this admission is that Her Majesty's Government acted wrongly in not calling Parliament together at an earlier date, as it is obvious that in so short a period as must elapse before the restriction is removed much good cannot be effected. We are told that the reason why Parliament has not been called together earlier is that at the end of last year public opinion was so immature upon the subject that had we been assembled the action of Her Majesty's Government would have been found far in advance of the proceedings Parliament would have been inclined to sanction. That is begging the entire question. I am prepared, on behalf of myself and of every Member present, to repudiate the charge that our ideas were behind those of the Government. Why, in what frame of mind, and with what knowledge, should we have come to the consideration of any measure which the Government might have proposed at the end of October and the beginning of November? We should have had in our hands the whole of that valuable and exhaustive Report of the Royal Commission; and if the Government had been really sincere in the commendation bestowed on the Royal Commission, Parliament would have been prepared to receive a Bill based on the recommendation of that Commission, and so have paid it the attention it deserved. There is, then, no justification for the statement of Government, that the Parliament would not have been prepared to deal with the measure in an early Session. I ask the Committee to look at the provisions contained and to be contained in the Bill about to be submitted. Does any hon. Member who heard the clear statement of the right hon. Baronet the Secretary of State for the Home Department believe that a Bill dealing with so vast a complication of objects, with omissions here and exceptions there, and embracing a whole course of sanitary regulations, can be passed within a period when it could be effectual in stamping out the disease? The right hon. Gentleman himself has given us a pretty broad hint that Government will be obliged to divide the Bill into two or three separate measures, merely proceeding with those measures which it is essential should be speedily passed. The more I reflect on the measure sketched forth, and on the speeches which have been delivered, the less becomes the prospect of a satisfactory measure at the hands of the Government. The Government have been threatened, and no wonder, with a rival Bill from my hon. Friend the Member for Northamptonshire. How is that rival Bill to be considered? The Government is going to allow its introduction; but the second-reading of the Government Bill is fixed for Ash Wednesday, and the House does not meet until two o'clock. Is my hon. Friend's Bill to be taken on Ash Wednesday after the Government Bill has been discussed? This kind of legislation, I fear, on so critical a subject, is likely to run the risk of complete failure. I feel so deeply on this subject, that at the risk of the charge of making yet another suggestion to the Government, I should propose that as the Government cannot carry this great and complicated measure within a reasonable period of time, they should proceed by way of Resolution in both Houses of Parliament, which will test the opinion of the Legislature on many important points. Orders in Council might be issued immediately founded on those Resolutions. If that were done the House could then proceed to the consideration of the great and complicated proposals of the Government, and to permanent legislation on the subject. But I must say, after the speech of the right hon. Gentleman, that if we are going to legislate on the principle that the first thing to be considered is how the temporary wants of the great towns of this country are to be supplied, and the next how the extinction of the cattle plague is to be accomplished, legislation will inevitably fail to produce the latter object. But if, on the other hand, we legislate on the principle that the cattle plague is first to be extinguished, whatever temporary inconvenience might be felt by the manufacturing towns, success may, and probably will, with the blessing of Providence, crown our efforts. That principle lies at the root of the matter, and I regret that the Home Secretary should have said that, from information derived from deputations and Mr. Thompson, he was disposed to give a temporary convenience to the manufacturing towns of the West Riding precedence over measures for the extinction of the cattle plague itself. I should like to know whether during the month which has elapsed since Mr. Thompson's letter was written the terrible strides made by the plague are not calculated to alter the opinions of men even more influential than Mr. Thompson? I am convinced that if Mr. Thompson had consulted the great body of the people, they would not have hesitated a moment in recommending not the palliation merely, but the extinction, if possible, of this terrible visitation. With respect to the manufacturing towns in the West Riding, the right hon. Gentleman says the Bill will be based on the practice which now prevails in the West Riding, the practice in the North Riding being different. But is the practice of the West Riding so successful? Have the results in the West Riding been so successful that the House will be justified in giving that practice the effect of law? I find it stated in the last Report of the Veterinary Department of the Privy Council, that in the week ending the 3rd February sixty-two fresh centres of infection of the plague had broken out in the West Riding. I find that 470 animals have been attacked in the last week in the West Riding. But it is confessed that that return is incomplete, for in a note it is added that "especially from Yorkshire" the returns are not complete, and it is likely that the gentleman who drew up the report would find, not a decrease, but an increase in the fresh cases occurring in that part of the country. What reason, in fact, have we to hope that this plan recommended by the Home Secretary, and now carried on and failing in Yorkshire, will meet with any success at all? The right hon. Gentleman says that great difficulty would be felt in slaughtering cattle if all removals were positively prohibited, and in providing proper slaughtering places, and afterwards transmitting the meat to the large centres of consumption. Difficulty there may be, but can anyone suppose that so great an evil can be got rid of without some trouble and annoyance. On the part of the agricultural community, I ask are they not subjecting themselves willingly and with alacrity to every amount of inconvenience and pecuniary loss at the present moment? And are they to be the only classes to be called on by legislators to bear inconvenience and pecuniary loss for the sake of a great public advantage? Does anybody mean to say that in localities adjoining these manufacturing towns means for slaughtering animals could not be devised at a small cost? and I appeal to any chairman of railway companies in the House, to the hon. Member for South Lincolnshire, the Chairman of the Great Northern Railway, whether there would be any practical difficulty in conveying dead meat by railway to the north? Means and appliances in this direction would not be found wanting. From any measure the north-western portions of Scotland ought to be exempted, as by their geographical position they enjoy a complete immunity, and stand on precisely the same footing as Ireland. There is a clear geographical boundary in those districts beyond which nobody has hitherto succeeded in passing any cattle. With these exceptions at this late period of the calamity the only sound principle is the total and entire prohibition of the removal of all cattle throughout the country for a limited period. As to other principles of the Bill relating to compensation and the prohibition of all imported cattle inland, I have not a single observation to offer. With respect to the latter, I think the principle sound; but I think that the whole machinery of the measure is so complicated that it cannot become law in a reasonable time. The only sound principle to adopt under the circumstances is that the House of Commons should declare that, for a limited period, there should be a total prohibition. My own belief is that the whole of these complicated, costly, vexatious, inconvenient, and interfering provisions of the Bill proposed by the right hon. Gentleman will fail in the one result we have in view—namely, in the extinction of this frightful cattle plague within the period contemplated by the Government. I make these observations with great reluctance, as I had been in hopes, from many parts of the speech of the right hon. Gentleman, that the Bill might have received the hearty concurrence of the House. But after the debate which has occurred, and after the full explanation given by the right hon. Gentleman, I feel convinced that such concurrence will not be had, and that the measure, based on the principle announced, will not succeed in the object which I feel sure every Gentleman in this Committee has at heart.

Mr. CARNEGIE said, it was not his intention to go into the merits of the Bill of the Government further than to remark that it appeared to him that by the principle of compensation proposed those counties which had suffered most from the cattle plague would suffer most by the assessment. The benefit to be derived would be in exact inverse ratio to the assessment. Therefore in some counties, as in the one he himself represented (Forfarshire), where nearly all the cattle had been swept away, the people would be called on to pay very large rates for stamping out the plague: whereas those counties where the disease did not exist would have to pay absolutely nothing. Now that was manifestly unfair and unjust. The rate should be a general one extending over the whole country. This was not only a stockowners', but a consumers' question, and therefore extending over the whole country. The consumers were at this moment paying for the effects of the cattle plague—it was answered—in the increased price of meat. To a certain extent they were; but if the cattle plague were not stamped out they would have to pay twice as much. To a certain extent the burden ought to fall on them, but that that burden should fall on those localities least able to pay was manifestly unjust, and he should oppose any such proposal to the utmost of his power. He could not see the justice of the distinction sought to be drawn by the right hon. Gentleman between compensating the owners of cattle slaughtered by order of the Government inspectors, and not compensating those owners whose cattle were, if he might use the term, allowed to die by order of the inspectors. Any retrospective measure, he thought, ought not to recognize any such distinction. He protested against their taxing those who had already lost stock for those who had as yet not suffered any loss. Such counties as Aberdeenshire who by their energy had stamped out the plague—who had paid money out of their pockets for effecting that object—should be repaid that expense, and thereby be placed in the same position as other counties were to be under the proposed arrangement. The gentlemen of Aberdeenshire ought not to be losers by the benefit they had conferred on the country.

Lord ROBERT MONTAGU said, he wished to offer two suggestions, by the adoption of which the Government might, he considered, improve their measure. The right hon. Baronet (Sir George Grey) proposed that all diseased animals should, of necessity, be killed; but that as to those animals which had come into contact with disease animals, and had thereby become infected, it should be left to the local authorities to decide whether they should be slaughtered or not. This, he thought, was radically wrong. If they desired to stamp out the plague they must do as other countries had done, and slaughter not only the diseased but also the infected animals. The example of Aberdeenshire had been adduced as perfect; but what had they done there? They were not content with destroying merely such animals as had the disease, but they bought up the whole herd and killed it. He now came to his second suggestion. He agreed with the noble Lord the Member for North Leicestershire (Lord John Manners), that they must entirely stop all movement of cattle. The right hon. Baronet had warned them that if they did that they must resort to a dead-meat market; but he did not show that any evil would result from adopting that alternative. Many advantages would, in his (Lord Robert Montagu's) opinion, attend the establishing of a dead-meat market. At present, animals often suffered a great deal in travelling to market; and, moreover, the bones, hides, hoofs, and offal of cattle, to the extent of many thousands of tons, were now brought long distances into large towns, where they were utterly useless, and therefore they had to be sent away again to some place where they were wanted for manufacturing or manuring purposes—thus entailing much needless trouble and expense. All that would be obviated by the establishment of dead-meat markets. Besides, by establishing dead-meat markets a further advantage would be gained. A beast purchased from the farmer or grazier in the London market for £28 was retailed by the butcher for £40; consequently, the inhabitants of towns were paying more for their meat than they would have to do by the establishment of dead-meat markets. But it was said, "Oh, but meat was a perishable commodity; if it came up to town one day and was not then bought, it must be sold next day so much cheaper." But what was the Home Secretary going to do? He said they might send their fat cattle to market, but they must not take them back again. But when the butchers knew that the cattle could not be taken away again, would they not be sure to hang back in buying them until the seller consented to yield them up for far less than their value? The consequence of that regulation would be to deprive the farmer of the full price of his cattle, while the result of a dead-meat market would be to enable the public to get their meat at a cheaper rate. The Home Secretary, he might add, had made no provision for the movement of cattle from Ireland, from which, as hon. Gentlemen were well aware, the cattle fattened in England to a considerable extent came. By that means an injury would be done, not only to the English grazier, but to the Irish farmer also, who found in this country the best market for his stock. Now, too, that no cattle were being bred in England, we must in the spring resort to Ireland for a supply; and, therefore, it was, he thought, desirable that the cattle from Ireland, being free from infection, should be allowed to be landed at our quays, and taken straight to the grazing ground. Next came the question of compensation. The right hon. Gentleman proposed to give a compensation amounting to two-thirds of the value of every diseased animal killed, and three-quarters of the value of those animals which might be slaughtered without showing any symptoms of the plague. It was, however, in his (Lord Robert Montagu's) opinion, a most arbitrary proceeding to say to the farmer, "You must have your cattle killed in the interest of the country," and not to acknowledge his right to ask for full compensation for the loss which he sustained. It must not be forgotten, also, that every restriction placed upon a particular industry spoilt the sale of the article which that industry supplied, and that thus the value of cattle would be diminished under the operation of the stringent rules about to be laid down. This large interferences with private property, as well as the extensive slaughter of cattle, were to be carried out for the good of the public. The farmer, under those circumstances, had a right, he contended, to demand full compensation. The question was one in which, not only he, but the large towns—in short, the whole country—were interested; but what did the Home Secretary propose? He proposed to relieve the farmer by laying on his shoulders one-third of the two-thirds which he intended to give him in the shape of compensation. Now, for his own part, he could not see, as everybody in the country was interested in stamping out the plague, that there would be anything unfair in making good out of the Consolidated Fund the loss of capital which the farmer must sustain.

Lord Robert Montagu

Mr. MARSH said, he quite concurred with the noble Lord as to the expediency of killing all cattle which had come into contact with those which happened to have been diseased. A committee of the Legislative Council of New South Wales, of which he was a member, had succeeded in completely stamping out disease in that way. He did not know how it was with cattle; but from his experience in the management of sheep, he was able to state that the disorder by which they were attacked sometimes remained latent for five or six months before breaking out.

Mr. GATHORNE HARDY: I wish, Sir, to call attention to one part of the right hon. Baronet's statement, which I confess does not appear to me altogether clear. I cannot but think that if Her Majesty's Government consider that the plague requires a short and sharp remedy they must feel that the delay which has already taken place is very much to be deplored. We are legislating when nearly arriving at a period when the movement of cattle is an absolute necessity. Therefore we are legislating under difficulties, and so far as I can understand from the right hon. Baronet's speech, very much in the same way as we have been going on under the Orders in Council which have preceded it. A great deal is to be thrown on the local authorities; but I am at a loss to understand what those local authorities are to be. Petty sessional divisions under the Orders in Council have not given the slightest security for carrying out the rules and regulations ordered, because we have seen the same Orders carried out with vigilance and care in one division, whilst through negligence they have been ineffectual in another. Power was then transferred from the petty sessions to the quarter sessions. But who are they—a body composed of persons having each a separate knowledge of the different localities, which differ with regard to agriculture, stock, &c., as much as one county differ from another. Nor is there any possibility of such a large body as that acting together for purposes such as would be required in this case. What local authority was to be called on to say what cattle were diseased and what cattle were infected the right hon. Baronet had not explained. How was it possible that a changing body of from forty to fifty, or 100 persons, meeting in the county town, could come to any decision with respect to the putting to death suspected cattle in remote parts of the county? I wish to have it explained whether the quarter sessions are to lay down rules for the whole county; that whenever cattle come into contact with diseased stock, both shall be killed, or whether they are to examine special cases that may happen on any particular farm? If the latter, it must be done by some authority independent of the quarter sessions; but if the former, then there is no reason why the House should not legislate in the first instance, because we are quite as competent to do it as the quarter sessions are to decide it generally for the counties. Power is also to be given to quarter sessions to appoint committees, who are to adjourn from time to time, in the same mode as the sessions. In that case they will be a perfectly useless body, because who will then give the orders to kill the cattle as each case arises? Is a committee to be appointed in each petty sessional division, sitting with the power of quarter sessions or one committee for the whole of the county, adjourning from time to time as the sessions? If so all the labour expended on this proceeding, so far as the interference of the local authorities is concerned, will be completely thrown away. I admit it is a difficult question to deal with, because whichever way we turn we are met by interests antagonistic to each other—it is a consumers' case as well as a producers' case, and it is difficult to reconcile both. The question requires to be promptly dealt with; and I hope the House of Commons will not hesitate to decide peremptorily and absolutely what shall be done during the five or six weeks which remain before a removal of cattle will be necessarily called for, and not leave the matter in the hands of local authorities, fluctuating as they may be, overruling the decisions one of the other, and thus throwing things into a state of confusion.

Sir CHARLES RUSSELL said, that in the county he had the honour to represent (Berkshire), so soon as the Orders in Council permitted, the magistrates put into effect the most stringent regulations, so as not even to allow the moving of cattle across a road. At that time the disease prevailed in five different portions of the county, and in the eastern part of the county not less than 3,000 cattle had died of the disease. From the moment, however, the stringent orders of the magistrates were carried into operation the disease began to die out, and it had now completely and entirely died out, except in the borough of Windsor, over which the orders of the county justices had no control. Unfortunately, a diseased animal had been brought by railway from the Metropolitan Market to Windsor, and the disease still continued to prevail there. He should not have ventured to offer any suggestions to the Committee if he had not had reason to think that the difficulty of a dead-meat market was not so serious as it appeared. In his parish, where the orders against removal were so stringent that the cattle could not be moved across the road, the farmers sent for the butcher and had their beasts slaughtered on the spot. One farmer who had twelve fat beasts sent for a butcher from Reading, who slaughtered them. He said, "I was not able to dress them quite up to the town pattern." He (Sir Charles Russell) asked the butcher whether, as matter of food and good meat, the flesh was inferior to that dressed under the most careful process. The butcher said it was not; and added, that it would be as saleable as the town pattern if they had the advantage of dressing it in the same way. He had been that day in communication with the Chairman and Deputy Chairman of the Great Western Railway Company on this very subject of the dead-meat supply, and had been told by them that they were prepared to give up very commodious premises at Paddington for a dead-meat market. At present, fish came from the seaboard to Paddington. There it was unpacked, and when the consignees had taken out sufficient for the London supply, the remainder was repacked and sent to the various towns in the kingdom. The same thing might take place in regard to dead meat. It might come up in carcass, and, although the directors were not vendors of meat, yet they would make arrangements for its reception, and, by the aid of the telegraph, it might be returned to all the towns on the line where it was wanted. The managers of the railways said it was impossible to become acquainted with all the different orders made by the thirty or forty local authorities of the boroughs and counties through which the line ran. He should not have risen, but that he wished to mention a practical matter which might help to solve a very difficult question.

Mr. AYRTON said, that if hon. Gentlemen opposite were wise, they were wise after the event. He had no wisdom; and he had risen to ask for some information as to what was proposed to be done relative to the metropolis. The circumstances of the metropolis were very peculiar, and it had, no doubt justly, come in for a large share of condemnation in regard to the propagation of the disease. No doubt the metropolis and the large towns had been the centres and sources of the disease in this country. The manner in which the cattle had been imported was most unsatisfactory. The metropolis had, unfortunately, no municipal institutions strong enough to deal with the circumstances of the case, for the cattle had been brought together under the best conditions for allowing any infected animal to give the disease to the rest. He went to see the cattle on their arrival, and it was surprising to find what was left undone when so little authority would have cured the evil. The place in which the cattle were collected was not paved; and they were wallowing knee-deep in compost, under circumstances most favourable to the diffusion of the disorder. He had not heard the right hon. Gentleman (Sir George Grey) say anything of the way in which the Bill proposed to deal with the dairies of London. They obtained much of the food of the cows from the London breweries, but they received other food from the country. This food was brought in carts, and the manure of the cattle was taken back in the same carts. Was not this practice calculated to propagate the disease; and did the Government intend to propose any measure with regard to the distribution of manure in the metropolis? How was it to be got into the country? He was told that the regulations were so unsuited to dairies in London that everybody connected with them conspired to set the Orders in Council at defiance. These persons could hardly be blamed, for if the disease attacked his dairy what was the dairyman to do? He could not convert his dairy into a slaughterhouse, and he could not bury the animals in his dairy, so the cows were removed along the road. He (Mr. Ayrton) was told that the dead cattle and the live cattle were brought to the same depository in London, with the concurrence of those charged to stop the disease. He trusted that the Government would have some explanation, so that the large body of persons interested in the supply of milk in the metropolis might know their position. He was glad to think that the London milk had vindicated its character at last, for he heard great complaints of the milk that came from the country. People said it was not the churning it got on the railway, but the quantity of water that was put into it before it was sent off.

Sir FITZROY KELLY said, the disposal of manure was undoubtedly a very important question, and he hoped that it would receive the best consideration of the Government. It was not his intention to occupy, upon that occasion, the time of the Committee in arraigning the conduct of the Government further than by making the single observation that he believed it would hardly be denied by any one that if they had called Parliament together three months ago they might have prevented the loss which the country had since sustained of 120,000 head of cattle. He had listened with much attention to the speech of the right hon. Gentleman the Home Secretary; and he believed that it referred mainly to three points to which he (Sir FitzRoy Kelly) proposed at that moment to confine his observations. He felt convinced that if the Government had adopted the three measures—first, of the destruction of all diseased cattle; secondly, of the isolation of cattle suspected of having been exposed to the infection; and, thirdly, of the absolute, total, and immediate stoppage of the passage of all cattle from one part of Great Britain to another—he felt convinced that if the Government had adopted those measures many months ago, or if they were to adopt them, at the present time, the ravages of the malady would, within the space of one month, be stayed. He did not say, however, that they might not exempt from the operation of the last of those three measures that part of Scotland north-west of the Caledonian Canal, and also those Welsh counties, in which no traces of the disease existed, provided these counties could be completely isolated. One exception of great importance might be made—namely, that where no disease existed, instead of obliging the butcher to go to a farm to slaughter the animal, there was no reason why, under a licence and certificate, the farmer should not be permitted to send the animal to the butcher to be slaughtered. If the measure should be properly framed and satisfactorily carried out, he believed that the disease might even now be put an end to within a month. With respect to the duty on policies, he had communicated with the right hon. Gentleman the Chancellor of the Exchequer on the subject of the hardship of taking the stamp duty on policies made under the different Cattle Insurance Associations; and he must say that the right hon. Gentleman, with great promptitude and liberality, had consented to the use of the smallest stamp which, under a liberal construction of the statute, the law required the Government to demand, and an intimation was held out that it would be for Parliament to consider whether the small stamp itself might not be dispensed with or the duty returned. With regard to compensation, it appeared to him to be a most inexplicable species of legislation to impose upon the very class of persons who had suffered so grievously from the calamity the greater proportion of the tax which was to be levied in order to make good the loss. Unless an exception should be made in favour of those who had sustained losses they would take, in the shape of a rate, a tax out of the pockets of the owners of cattle, who were no more to blame than the consumers of meat for the calamity under which the country was suffering, and he did not see why the nation at large should not make good the loss. He hoped in whatever form the Bill might pass there would be no qualification of those measures which alone could ensure the extinction of the disease.

THE LORD ADVOCATE said, he rose not to take part in the general discussion, but simply to explain with respect to Scotland that very strong opinions were intimated in various quarters that the local authorities should consist of a Board, one-half composed of landowners and the other half of tenant farmers.

MR. BANKS STANHOPE said, he preferred the Bill of his hon. Friend the Member for North Northamptonshire (Mr. Hunt). The radical evil of the Government Bill was that it said "you may" do such and such things. The result would be that if the magistrates at quarter sessions in one county kindly chose to yield to the feeling of a number of farmers, the farmers in the next county might find themselves placed in an unfair position by a different bench of magistrates. As to giving facilities for transmitting live cattle to the markets in London and Manchester a difference would be made between the live-meat market and the dead-meat market, which would cause considerable dissatisfaction. The Government appeared to be trying to put an end to the disease by acting pretty nearly on the same system as that which had been found so thoroughly useless and absurd. He was astonished at one thing which had fallen from the right hon. Gentleman (Sir George Grey). Under his Bill there was to be a new system of extended licence and extended movement for cattle—whether for fat, lean, or store cattle. At present, in Lincolnshire, cattle only meant for slaughter might be sent to the butcher or to the station. The consequence of the system was that instead of isolation there was propagation. Another point on which the Bill of his hon. Friend was superior to that of the Government was, that by providing for a month's cessation of the transit ample time would be given for properly cleansing the trucks, an operation for which the right hon. Baronet's Bill did not give sufficient time. With regard to the introduction of Irish cattle, it had been asked what objection could there be to letting them come into the country provided a sufficient licence was obtained at Liverpool. But on arriving at Liverpool they might meet with other cattle who might communicate the disease to them; and if they travelled two or three hundred miles who was to certify that the cattle on their arrival at their destination were perfectly pure. Last year there was a fair at Peterborough, from which place the disease was spread through Northamptonshire, Huntingdonshire, Lincolnshire, and Bedfordshire, by means of cattle bought at

Peterborough, which started pure from Ireland, and pure from Liverpool. [Lord Robert Montagu said, he believed that the cattle had been to market.] The cattle might catch the disease in Liverpool or in the railway trucks. At present a strong fear existed in Ireland lest the drover took the cattle plague back with him, and many of the people in that country desired to have a dead meat traffic.

Sir GEORGE GREY: I wish to answer two or three questions which have been put to me during the course of this discussion; and first, as to the local authority in counties, I have to explain what that local authority is. It is intended that the local authority in a county shall be the quarter or general sessions. The hon. Gentleman who put a question on this subject (Mr. Hardy), said that there was a total want of uniformity in the regulations made by the justices in petty sessions. The hon. Gentleman is no doubt aware that I wrote a circular to the chairmen of quarter sessions in October last pointing out the importance of concert, and the desirableness of securing as much uniformity as possible. I do not know whether there is throughout the country generally such a total want of uniformity as the hon. Member supposes; but I may instance, as an example of success in obtaining uniformity of action, the county of Sussex, where uniform regulations had been made by common action amongst the justices of the petty sessions. With this view the quarter sessions were substituted for the petty sessions, throwing the jurisdiction over a wider area and securing greater uniformity. But, said the hon. Gentleman, what are quarter sessions? They consist of a great many gentlemen who come some from one part of the county and some from another, knowing only what is connected with their own districts. Now, that is precisely the recommendation of the quarter sessions. You secure the agency of a body of gentlemen thoroughly conversant with the agricultural operations of every part of the county. Then as to the formation of committees, it is impossible for large bodies to act in a matter of this kind with the promptitude and decision required; it is therefore proposed that there shall be power of appointing at quarter sessions an executive committee, authorized to associate with them, if they think fit, a certain number of persons qualified as rated occupiers in their respective districts. Nor can there be any objection to the proposal, as it is a common practice for the quarter sessions to appoint committees with delegated powers for particular purposes. The hon. and gallant Member for Berks (Sir Charles Russell) said I had quoted the practice at quarter sessions against absolute prohibition, and he said that his own county had adopted absolute prohibition. I believe that hardly any county has done so; the general course has been to put restrictions on the removal of cattle, and adapt them to the circumstances of each case. He says that in Berkshire absolute prohibition is enforced. That was, I believe, the fact as to the first Order. I am not aware of any other county in which so strict a prohibition is enforced. But shortly after the Order was made at quarter sessions, certain exceptions were found absolutely essential. Various exceptions were made in the second Order—

Sir CHARLES RUSSELL: Because the disease had been stamped out.

Sir GEORGE GREY: I am glad to hear that; but I am afraid Berkshire is not returned among the counties entirely free from the disease.

Sir CHARLES RUSSELL: It is only with regard to Windsor, which is returned in the other list, and that I thought I had explained.

Sir GEORGE GREY: As to dead-meat markets being substituted for cattle markets, I expressed an opinion the other day that such a change would be desirable; but I believe it will take a considerable time to effect it throughout the country. I do not think it can be done in a week or a month. Whenever it can be done now let it be done at once. It is in the power of the local authorities to prevent the removal of cattle. The hon. Member for North Lincolnshire (Mr. Banks Stanhope) seems to be under the impression that by this Bill we are taking away from the local authorities power to keep cattle from coming into districts within their jurisdiction, or to regulate their movements. His mistake must arise from some want of clearness in my statement. He appears to think that Irish cattle, for instance, might go into any part of the country; but cattle coming from Ireland will be subject to the same restrictions as all other cattle, and can only go to places open for the sale of cattle with the permission of the local authorities. As to my hon. and learned Friend the Member for East Suffolk (Sir FitzRoy Kelly), I really thought I had got an antagonist—one who was prepared to advocate for a general prohibition of removal without any exceptions whatever. The Bill of the hon. Member for North Northamptonshire (Mr. Hunt) contains so many exceptions to its general powers that it cannot be called an unconditional measure. My hon. and learned Friend said the evil ought to be met by an absolute unconditional and immediate prohibition; but as soon as he ventured on so large a proposition he began with his exceptions. It was proposed at first in St. James' Hall that the absolute prohibition should be only in respect of infected districts. That exception was afterwards struck out; but my hon. and learned Friend says that as to applying the Order to places quite free from the disease, no man in his senses would think of it. According to my hon. and learned Friend, it ought not to be applied to places not infected; and then he goes on with his system of licences, which would make his plan as conditional as that of the hon. Member for Northamptonshire. If there be a difference between the proposals of hon. Gentlemen opposite and the proposal of the Government, it is this—We think that, instead of including in the Bill every possible cure and exception, we may trust to the intelligence, good sense, and right feeling of the magistrates; but hon. Gentlemen on the other side have an absolute distrust of the local authorities whose co-operation we think essential. We are willing to give a certain amount of discretion to the local authorities; while the hon. Gentleman opposite thinks it necessary to insert every exception in the Bill, leaving no discretion whatever to the local authorities. By attempting to do what they propose we could scarcely fail to omit some of the necessary exceptions, at the same time that we should be depriving the local authorities of the power of supplying the omission. When persons have requested that the Government would make rules applicable to the whole country, I have asked them, "What general rule would you suggest?" Invariably the answer has been, "Take the rule we have laid down in our county." But a rule suited to one county may not be suited to another, and hence the difficulty of making any absolute and general regulation. The only other question asked me was that put by the hon. and learned Gentleman the Member for the Tower Hamlets (Mr. Ayrton). The district comprised within the area of the Metropolitan Board of Works has been excepted from the counties of which it forms a part by the Orders of Council. Originally, inspectors appointed by the Clerk of the Council acted throughout the metropolitan police district, which is of much wider extent, for the area between the district of the Metropolitan Board of Works and that of the metropolitan police is a very large one. Now, the area under the jurisdiction of the Metropolitan Board of Works alone is left to the Privy Council. The licences in the district will be given by the Commissioner of Police. It is necessary for purposes of taxation that the organization of the Board of Works shall be made use of, and assistance will be given by the police in enforcing the regulations. With regard to manure, very ample powers are now given to the authorities, and these powers will be continued by the Bill; but it is quite impossible that the whole of the manure of London, or that of any other large town, can remain in the town itself without the risk of producing disease. The regulations as to manure will be left therefore as they are by the present Orders, to the local authorities.

LORD BURGHLEY said, with reference to the powers to be vested in the local authorities, that it was the part of the Government to issue the necessary Orders throughout the country. In reference to one remark which had fallen from the right hon. Baronet (Sir George Grey), who said that the Government had conceived that the compulsory slaughter of infected animals was the best course to be taken, and that they had given orders to that effect, but the farmers would not consent to it, he wished to observe that many of the individuals appointed as inspectors were not qualified to judge as to whether beasts had the rinderpest or not; moreover, no compensation was offered by the Government for this compulsory slaughter, and of course everybody objected to it. The right hon. Baronet had also said that there could not be found in our ports a sufficient number of slaughter-houses in which to slaughter so large a number of beasts in so short a time. He would remind the House, however, that the rinderpest was not a plague indigenous to this country, but it had been imported from abroad. Every year the extension of railways into those countries where the Steppe murrain is indigenous brings the plague nearer and nearer to this kingdom, and the Government ought to take this fact into their serious consideration. We shall be obliged, sooner or later, to order slaughterhouses to be erected in those seaport towns where cattle are imported from foreign countries, and he thought the sooner the Government gave those orders the better. The rinderpest may, under Providence, be stamped out for a time, but unless we take proper precautions at those ports where cattle are landed from abroad, we shall never prevent its re-introduction into this country.

Colonel BARTTELOT said, that the Order referred to by the right hon. Baronet the Home Secretary as having been made in Sussex was one for the eastern division only. Another and a different Order was made for the western division. This showed that local authorities did not all agree, and that difficulties were sure to arise under a permissive Bill. He had hoped that this class of legislation would have gone out with the last Parliament. During the last Parliament they had nothing but permissive Bills; but it seemed they were to have them still. If the right hon. Gentleman had brought in a Bill of five clauses, in such a measure he might have embraced all that was necessary. Though he might have caused inconvenience to some persons, he would have stamped out the disease. He believed, from the length of the right hon. Gentleman's speech in introducing it, that his Bill would consist of, at least, 100 clauses. It would take a long time to go through it, and the magistrates would require a long time to enable them to master its details.

Sir GEORGE GREY said, that if the hon. and gallant Gentleman the Member for West Sussex would draw up a Bill of five clauses which would contain every provision necessary for the stamping out of the cattle plague, the Government would feel much indebted to him.

Resolution *agreed to.*

House *resumed.*

Resolution *reported:* — Bill *ordered* to be brought in by Sir George Grey, Mr. Chancellor of the Exchequer, and Mr. Baring.

Bill *presented,* and read the first time. [Bill 6.]

LEGAL PENSIONS BILL.

LEAVE. FIRST READING.

The ATTORNEY GENERAL said, he rose to move for leave to bring in a Bill to amend the Law relating to the granting of Pensions to persons holding certain offices connected with the Administration of Justice. The House was aware with regard to pensions in general that the great majority of them were paid out of the funds of the Treasury, and were subject to the provisions of the Superannuation Acts. With regard, however, to some Pensions in Chancery, Lunacy, and Bankruptcy, Parliament had given power to the Lord Chancellor of granting them, and of determining their amount, and the circumstances under which they were to be granted. Now, that was a power which it was not desirable to continue; indeed, the only reason why the power of granting such pensions had been bestowed on the Lord Chancellor was that they were paid out of funds under his control. The subject, it would be remembered, excited a good deal of attention last Session: and it was then felt by the Government, that it was equally desirable for the public, and for the Lord Chancellor, that the practical responsibility and control should be vested in the same department, which exercised it in other cases, The object of the present Bill was to put, as far as was possible, all legal pensions under the control of the Treasury. Judges of the Court of Chancery and the Courts of Common Law, would not come within the operation of the Act, which, however, would apply to all persons of a lower degree holding offices connected with the Administration of Justice in those Courts. The Lord Chancellor would still make the final orders for payment of pensions payable out of the funds under his control.

Motion *agreed to.*

Bill to amend the Law relating to the granting of Pensions and Superannuation Allowances to persons holding certain offices connected with the administration of justice in England, *ordered* to be brought in by Mr. Attorney General, Mr. Chancellor of the Exchequer, and Mr. Childers.

Bill *presented,* and read the first time. [Bill 8.]

LABOURING CLASSES' DWELLINGS BILL.

LEAVE. FIRST READING.

Mr. CHILDERS said, he begged to move for leave to bring in a Bill to enable the Public Works Loan Commissioners to make advances towards the erection of dwellings for the labouring classes in populous places. He would describe in a few words the present state of the law as to facilities for the erection of houses for the labouring classes. By the Act 14 & 15 *Vict.* c. 34, passed in 1851, power was given to town councils and local boards, and to the vestries of parishes exceeding 10,000 inhabitants, to borrow money from the Public Works Loan Commissioners for the erection and furnishing of lodging-houses for the working-classes. The regulations under which loans were to be made under that Act were those usually adopted by the Government when advances were made for public works. Practically, however, that Act never came into operation, for only one application was made to the Public Works Loan Commissioners for the erection of dwellings for the labouring classes. In the year 1855 another Act was passed, the 18 & 19 *Vict.* c. 132, under which companies might be formed with special powers to erect dwellings—and not lodging-houses merely—for the labouring classes in populous places. That Act, however, conferred no power of borrowing money from the Public Works Loan Commissioners and it proved also a failure; for he believed that the Government Office, within the cognizance of which the provisions of the Act came, had not received more than one communication on the subject. Already the Public Works Loan Commissioners had power to grant loans at moderate rates of interest for other purposes connected with the sanitary arrangements of great towns, such as the removal of nuisances and the utilization of sewage; and he now proposed, by the measure which he asked leave to introduce, to extend the power conferred by the Act 14 & 15 *Vict.* to minor local authorities in all parishes, to public companies, and even to private persons, who would thus be enabled to obtain from the Public Works Loan Commissioners advances to the extent of not more than half the cost of the buildings proposed to be erected, and at a rate of interest of 4 per cent, payable by the usual instalments, and according to the same conditions as loans for public works. The ordinary operation of the Act would be as follows:—All questions of interest and repayment would be left, as now, to the Treasury, subject to the general rules of the Exchequer Commissioners, and the first Commissioner of Works would certify as to whether buildings proposed to be erected or improved under the Act were really suited as dwellings for the labouring classes. The Public Works Loan Commissioners would only have to satisfy themselves as to the security and the due payment of the instalments. The general question had largely occupied public attention during the last few years, and the object with which it had been discussed was likely to be promoted considerably by the operation of this Bill. In the Session of 1863 the attention of Parliament was, for the first time, specially called to the effect upon the condition of the poor in populous places of the great public improvements which were being effected in the metropolis and other large cities; in that Session an unusually large number of Bills were introduced for extending railway communication, and an opinion which pervaded the debates of that Session, and particularly those of 1864, was that, while these measures were really public improvements, as he believed they were, they ought to be accompanied by some measure giving additional facility for the construction of the displaced dwellings of the poor. He need not remind them of what private munificence had done. It happened most opportunely that they had been able that morning to read that most generous letter by Mr. George Peabody, in which he stated the conditions upon which he proposed to supplement the most munificent donation which he had given to the poor of the metropolis. The trustees had therefore £250,000 as the nucleus of a fund for large operations in the direction proposed by this Bill. He (Mr. Childers) should not be doing wrong to refer to the urgent necessity for and the result of their operations as stated in their Report, printed last December. They said—

> "At the present moment, owing to the vast changes in the metropolis, by which the houses of the labouring poor have been demolished to so great an extent, the cost of accommodation for them has been greatly increased. It, of course, varies in different localities; but, on an average, the weekly charge for a single room of a very poor description is from 2*s.* 6*d.* to 3*s.*; for two rooms, 5*s.* or 5*s.* 6*d.*; and for three, from 6*s.* 6*d.* to 7*s.*"

In a note, it was stated—

> "In London, unless steps are taken, the poor bid fair to be thrust out of house and home, and to have no place left to dwell in. Our Street Improvement Acts and our railway demolitions are turning out the poor by thousands. Even in our crowded and deplorable districts, such as the streets and alleys running out of Drury Lane and in the region of Seven Dials, apartments are not to be had; and the rents in some neighbourhoods have been raised 50 per cent. A respectable omnibus conductor in our neighbourhood, who seeks to have two rooms, dingy and small, to accommodate five persons, pays 7*s.* a week. A wretched family, where the husband never brings to his home more than 12*s.* per week, and often

less (where there are five children), pays 5*s.* a week for two low, damp kitchens. But the mere test of rent affords no adequate standard by which to contrast the squalor and discomfort of one of these tenements with the light and airy and agreeable apartments in the Peabody buildings; and for one room there the charge per week is 2*s.* 6*d.*; for two rooms, 4*s.*; and for three rooms, 5*s.*"

So far, the trustees of Mr. Peabody's gift, for £60,000, had provided accommodation for 850 persons; and, even on this moderate scale, the rents realized gave favourable promise for similar undertakings. He would also refer to the report in that morning's paper of the society which had been formed for the erection of improved dwellings for the working classes, which showed that the investment of capital in these buildings, with moderate assistance such as the Bill proposed, might be expected to produce a fair Return. Upon the relations of supply and demand, he would quote a report presented a few weeks ago to the Metropolitan Board of Works by Mr. Bazalgette, who said—

> "The effect, however, of all metropolitan railway and street improvements is the destruction of large masses of houses, the occupants of which are driven towards the suburbs, and the area of London is thereby extended. The Railway Bills of the present Session include within their limits of deviation about 16,000 houses. Now, assuming one-half of that number of houses only to be destroyed, this would amount to one-sixtieth part of all the houses in London, and the occupants of these must find homes nearer to the suburbs, and will require ready means of access to the centre."

He need hardly say that the great majority of the houses referred to were those of the labouring classes, for whom other dwellings ought to be found. He believed the effect of this Bill would be greatly to assist the desired provision, and he thought he had stated sufficient to justify its introduction. The House would have other opportunities of considering its details.

Mr. KINNAIRD said, he could hardly express the satisfaction with which he heard the proposal of the Government to meet an evil admitted on all hands, and proved by the statistics which the hon. Gentleman had quoted. He had stated that he was far from deprecating any of those improvements in the metropolis which must follow upon the great demolition of houses which was going on. While glad that Government proposed to meet the immediately resulting evil, he would suggest whether, as there were large districts which were nothing better than fever-producing and pauper-producing districts, compulsory powers, such as those conferred on railways, could not be vested in the Home Office or some other authority which could judge of the condition of these localities, to remedy in some measure the excessive evils which resulted from overcrowding. He hoped that this Session, if the Government did not, some private Member would introduce a measure which should confer power on a competent authority to do something for porters and others who were compelled to live near to where they were employed. The power so conferred could be exercised gradually so as to inflict the least amount of inconvenience inseparable from the wholesale demolition of houses by railway companies, and in this way a useful remedy could be applied to an existing evil without those hardships consequent upon railway extension. While wishing to see such a measure as that he suggested brought forward, he heartily supported that now introduced.

Mr. LOCKE said, that the granting of compulsory powers for public purposes had not always proceeded on consistent, or even beneficial, principles. But, as applied to the removal of nests of fever and the creation of suitable dwelling places for the labouring classes, the question became of general interest and acquired an importance second to none. Dr. Ferguson had shown the effects of overcrowding in fever generating districts; and when such districts were discovered, compulsory powers ought to be given to the municipal authorities to take down the dwellings in which the fever lodged, and erect others in their stead. Local boards, vestries, and similar public bodies had not the means, even supposing them to possess the will, to make advances for the erection of these dwellings; in proposing to find the money the Government, therefore, were taking steps to confer on the metropolis a boon long and ardently desired, and difficult if not incapable of attainment by any other means. In furtherance of the object in view, he thought by judicious arrangements it would be possible likewise to secure the co-operation of influential public companies.

Sir HARRY VERNEY said, that while concurring heartily in any proposal having for its aim to benefit the poor, it should not be forgotten that, if all new buildings for the accommodation of the poor were as lofty as those recently erected, London, as a place of residence, would be much less healthy than it had been hitherto. Light and air would no longer penetrate as freely into the streets. If it were possible to introduce some stipulations, that when the buildings were lofty they should not be crowded together, it would add, he thought, to the utility of the measure. He should also like to see a clause introduced, providing that there should be a different set of pipes to carry off the rain water from those which carried off the sewage.

Motion *agreed to.*

Bill to enable the Public Works Loan Commissioners to make advances towards the erection of Dwellings for the Labouring Classes in populous places, *ordered* to be brought in by Mr. CHILDERS, Mr. CHANCELLOR of the EXCHEQUER and Mr. BRUCE.

Bill *presented,* and read the first time. [Bill 9.]

PUBLIC OFFICES (SITE) BILL.

LEAVE. FIRST READING.

MR. COWPER said, he rose to move for leave to introduce a Bill to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire, by compulsory purchase or otherwise, certain lands, houses, and premises in the Parish of St. Margaret, Westminster. The houses in question were those lying between Parliament Street, King Street, and Charles Street, and their removal become necessary to enable the front of the quadrangle formed by the new Government Offices to be completed. The purchase of these houses had been in contemplation for a considerable time, but they had not been interfered with till the progress in the erection of the Public Offices rendered it actually necessarry to remove them.

MR. LOCKE said, he was of opinion that this was a very bit-by-bit mode of proceeding which was proposed by the right hon. Gentleman. All the houses down to Westminster Abbey must ultimately come down, and would it not, therefore, be better to purchase them at once? When the new Offices were built the houses in the vicinity would immediately become more valuable.

MR. COWPER said, the Bill which he desired to introduce did all that was necessary for providing the site which was wanted for Public Offices. The widening of the southern end of Parliament Street would be an important metropolitan improvement, but it could not be included among the purposes of this Bill.

Motion *agreed to.*

Bill to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire, by compulsory purchase or otherwise, certain lands, houses, and premises, in the parish of St. Margaret, Westminster; and for other purposes, *ordered* to be brought in by Mr. COWPER and Mr. CHILDERS.

Bill *presented,* and read the first time. [Bill 10.]

QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (LORD PROBY) *reported* Her Majesty's Answer to the Address as follows:

"*I have received with sincere satisfaction your loyal and dutiful Address. The Assurance of your continued interest in all matters which concern the domestic happiness of Myself and My Family is most gratifying to My feelings.*

"*I rely with confidence on your attentive consideration of the measures which will be submitted to you. And your endeavours to improve the Law and to advance the welfare of my People will always receive My cordial co-operation.*"

CATTLE PLAGUE BILL.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to check the spread of the Cattle Plague in Great Britain.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. HUNT, Mr. HOLLAND, Mr. BANKS STANHOPE, and Sir JAMES FERGUSSON.

Bill *presented,* and read the first time. [Bill 7.]

PUBLIC PETITIONS.

Select Committee *appointed,* as follows, "to whom shall be referred all Petitions presented to the House, with the exception of such as complain of undue Returns, or relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:"—Mr. CHARLES FORSTER, Mr. BONHAM-CARTER, Sir JAMES FERGUSSON, Major GAVIN, Mr. TAVERNER JOHN MILLER, Sir COLMAN O'LOGHLEN, Mr. HASTINGS RUSSELL, Mr. Alderman SALOMONS, Mr. OWEN STANLEY, Mr. KINNAIRD, Mr. REGINALD YORKE, Mr. ROBERT TORRENS, Mr. M'LAGAN, Mr. SANDFORD, and Sir CHARLES RUSSELL:—Three to be the quorum.

House adjourned at Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 13, 1866.

MINUTES.]—*Took the Oath*—The Lord Aveland.
Public Bill—*Second Reading*—Sale of Land by Auction (2).

SALE OF LAND BY AUCTION BILL. (NO. 2.) SECOND READING.

Moved, That the Bill be now read the Second Time.—(*The Lord St. Leonards.*)

The LORD CHANCELLOR said, that since the first reading he had looked through the Bill, which he thought would probably be a very useful measure. But his noble and learned Friend (Lord St. Leonards) had inserted clauses in it excepting sales ordered by the Court of Chancery from the operations of the measure. It was perfectly true that the precautions taken by the Court of Chancery with respect to sales carried on under its orders rendered such a Bill as that under consideration unnecessary; but, at the same time, no harm would result if the Court of Chancery sales were not excepted, and it was very possible that if the excepting clauses were allowed to remain an invidious construction might be placed upon the measure.

Lord CHELMSFORD entirely approved the principle of the Bill, and concurred with the noble and learned Lord on the Woolsack in recommending the omission of those clauses which excepted sales made by order of the Court of Chancery.

Lord KINGSDOWN also expressed approval of the Bill.

Lord ST. LEONARDS, in replying to the objections taken to the measure, was understood to say that the Court of Chancery had machinery at its command to do all for its suitors that it was proposed by this Bill to do for the people at large, and it was, therefore, unnecessary to give to the Court of Chancery what it already had.

Motion *agreed to:* Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday* next.

PRISONS ACT 1865.—QUESTION.

The Earl of CARNARVON, in rising to inquire of Her Majesty's Government, What Arrangements they have made for giving effect to the Prisons Act of last Session, by securing an adequate Inspection of the several County and Borough Prisons, said, that the Act to which he referred had placed much power in the hands of the local authorities. A Committee of the House, of which he had the honour of being appointed the Chairman, had given great consideration to the subject, with the view of securing, as far as possible, uniformity of action; and the Committee found that the Prison Inspectors, who had formerly numbered five, had for various reasons, which it would not be necessary for him to go into, been gradually reduced to two, so that the inspection of prisons had in reality become a mere formality. Even in the last Report of the Inspectors, he found that all the prisons in the kingdom had not been visited once in the year. He did not now rise for the purpose of asking an increase in the number of Inspectors, but he did desire to see some machinery established which would secure effectual communication with the local authorities, and by which a harmonious and uniform system would be adopted.

Earl RUSSELL was understood to say that instructions had been given upon the subject by the Home Secretary.

The Earl of CARNARVON thought that the answer of the noble Earl was in reality no answer at all. The noble Earl did not say what was the nature of the instructions given by the Home Secretary; and he thought, therefore, that he should not be doing wrong in pressing the noble Earl for a little further information on a matter so important.

Earl RUSSELL said, he would furnish the noble Earl with further particulars as soon as he received some more information from the Home Office.

The Earl of CARNARVON said, that under these circumstances, he would repeat his Question on Thursday.

THE CATTLE PLAGUE.—QUESTION.

The Earl of WINCHILSEA rose to ask the First Lord of the Treasury, Whether Her Majesty's Advisers are prepared to recommend to Parliament that an Indemnity be granted out of the Public Purse to all such Persons as have been compelled to slaughter any Beast or Beasts (not offered for Sale in any Market, Fair, or other Public Place where Animals are commonly exposed for Sale), by Order of an Inspector appointed by or under the Authority claimed by the Lords of Her Majesty's Privy Council, to be contained in the Act of 1848, c. 107, which Act still continues in force? The noble Earl said that the Privy Council had issued instructions to their Inspectors to slaughter any diseased cattle they might find on the premises of the owners. Now, that Order purported to be founded on the Act of 1848; but it appeared that the operation of that Act applied only to cattle exposed at any public fair or market, and gave no authority to direct the slaughter of cattle on private premises, and there was, therefore, reason to suppose that the Privy Council had in that matter overstepped their powers. But if that were so, it was clear that those persons whose cattle had been killed under the sanction of that Order had a peculiar claim on the Government for compensation, and he trusted that that claim would be recognized.

THE DUKE OF **MARLBOROUGH** said, that he was desirous of reminding the noble Earl, before he answered the Question which had just been put to him, that the issuing of the Order in Council giving power to Inspectors to kill any cattle they might think infected with the cattle plague, unaccompanied by any restrictions upon the cattle traffic, was the most successful—if he might use the term—method of spreading the disorder that could have been followed. The effect of that Order was that owners of cattle, knowing what fate was to befall them, and knowing that they should receive no compensation for any cattle which might be slaughtered under the Order, took the matter into their own hands and sold their infected cattle; and the result was, to use the words of Her Majesty's Commission, that the disease was sown broadcast over the country.

LORD **POLWARTH** wished to know, whether it was the intention of Her Majesty's Government to renew the Order in Council complained of, or whether it would cease when the new measure upon this subject came into operation?

THE LORD **CHANCELLOR**: The noble Earl (the Earl of Winchilsea), in putting the Question of which he has given notice, has clearly pointed out that which I am perfectly ready to admit—namely, that there are no distinct terms contained in the Act of 1848, authorizing the Council to make such an Order as that of the 25th of August; but I must ask leave of the House to state how the matter stood at that time. The object of the Act of Parliament passed in 1848 was to prevent the spread of contagious or infectious diseases among sheep, cattle, or other animals, and the preamble of that Act was to this effect—

> "Whereas a contagious or infectious disorder, known or described as the sheep-pox, or *variola ovina*, now prevails among the sheep in some parts of the United Kingdom, and it is necessary to take measures to prevent such disorder from spreading."—[11 & 12 *Vict.* c. 107.]

The Act then proceeds to give the Privy Council authority to make such orders and regulations as are necessary to give effect to its provisions. There is no doubt in the world that the preamble of this Act referred to sheep, and to sheep only; but, on the other hand, the clauses of the Act are not confined to sheep, but will bear a construction permitting the provisions to be applied to cattle. The question the Government had to determine was whether or not, if it were shown to them—as it was shown to their satisfaction—that no other Order would have any beneficial effect, they would be justified in issuing an Order calculated to give effect to the spirit of the Act, although, if strictly construed, that Act might not expressly give them the necessary powers. It must not be forgotten that remedial Acts are always to be liberally construed, and under the circumstances we felt it to be our duty to put a liberal construction upon this one. The matter had to be determined at once—there was no time for deliberation—and I do not hesitate to say that it was upon my advice that the Order was issued, as I thought it was fairly to be argued that such an Order came within the real meaning of the Act. There is, however, great doubt upon the subject; but if the Order does go beyond the strict letter of the law it may easily be met by compensating the parties who have suffered under it, although the injuries they have suffered in consequence of its issue must be very slight, as the infected cattle slaughtered under its regulations must have been of little or no practical value to their owners. Acting upon the opinion I had formed, I did not hesitate to advise the Government that they were bound to put a liberal construction upon the Act, as it would be useless to issue any Order that was not calculated to meet the requirements of the case.

THE EARL OF **DERBY**: The noble and learned Lord has placed two constructions upon the Order in Council. First of all, he says that it is within the spirit of the Act; and then, that it goes beyond the strict letter of the law. Now, I cannot quite concur with the doctrine laid down by the noble and learned Lord, that the Order in Council comes within even the spirit of the Act, because the law lays down distinctly what are the offences it creates, and in what manner they are punishable. On the other hand, it is quite true that although the preamble refers to sheep alone, the enactments refer to cattle generally. Now, what are the enactments contained in the Act?—

> "That in case any sheep or lambs infected with or labouring under the said disorder, or any disorder of the like nature, be exposed or offered for sale, or be brought or attempted to be brought for the purpose of being so exposed or offered for sale, in any market, fair, or other open or public place where other animals are commonly exposed for sale, then, and in any such case it shall be lawful for any clerk, or inspector, or other officer of such fair or market, or for any constable or policeman, or for any other person authorized by the mayor, or by any two justices of the peace having jurisdiction in the place, or for any person authorized or appointed by Her Majesty in Council, to seize the same, and to report such seizure to the mayor or any justice of the peace having jurisdiction in the place; and it shall be lawful for such mayor or justice either to restore the same, or to cause the same, together with any pens, hurdles, troughs, litter, hay, straw, or other articles which he may judge likely to have been infected thereby, to be forthwith destroyed or otherwise disposed of in such manner as he shall deem proper, or as may be directed in manner hereinafter provided; and any person bringing or attempting to bring any sheep, lambs, oxen, bulls, cows, calves, or other horned cattle into any such market, fair, or open or public place as aforesaid, knowing such sheep, lambs, or cattle to be infected with or labouring under either of such disorders as aforesaid, shall, upon conviction thereof, forfeit and pay for each and every such offence a sum not exceeding £20."

Now, these are the whole of the offences contemplated by this Act. The fourth clause is as follows:—

> "And for the more effectually preventing the spreading of contagious or infectious disease be it enacted that it shall be lawful for the Lords and others of Her Majesty's Privy Council, or any two or more of them, from time to time, to make such orders and regulations as to them may seem necessary for the purpose of prohibiting or regulating the removal to or from such parts or places as they may designate in such order or orders, of sheep, cattle, horses, swine, or other animals, or of meat, skins, hides, horns, hoofs, or other parts of any animals, or of hay, straw, fodder, or other articles likely to propagate infection; and also for the purpose of purifying any yard, stable, outhouse, or other place, or any waggons, carts, carriages, or other vehicles; and also for the purpose of directing how any animals dying in a diseased state, or any animals, parts of animals, or other things seized under the provisions of this Act, are to be disposed of; and also for the purpose of causing notices to be given of the appearance of any disorder among sheep, cattle, or other animals."

Then come the words on which the noble and learned Lord relies—"and to make any other orders or regulations for the purpose of giving effect to the provisions of the Act,"—not for the purpose of giving effect to the "object" of the Act, but for the purpose of giving effect to the provisions of the Act. It enables the Lords of the Council, by Orders in Council, to issue any Orders that may be necessary for the purpose of enforcing its provisions. I would humbly submit to the noble and learned Lord that it is a most extraordinary stretch of the provisions of an Act of Parliament to use the powers which were given for the purpose of enforcing its provisions to enable you to make any order you may think fit for the purpose of giving effect to what you consider the object of the Act—namely, to provide against contagious diseases in cattle. The noble and learned Lord frankly admits that the object, though within the spirit and intention, did not come within the letter of the Act. Well, a number of farmers have had their cattle destroyed under the authority of the Government and by the direction of inspectors acting under their orders, but contrary to the law. Now I say that, under these circumstances, the persons so deprived of their property —I will not use harsh words—have a fair and legitimate claim for compensation, and for compensation not to be levied on their neighbours and themselves, but compensation from the Government on those persons acting under the authority of the Government, who, contrary to law, deprived them of their property. Any one of those persons whose cattle the inspectors destroyed has a perfect right to bring an action of damages against them. I do not complain of the Government for the steps they have taken —except in this case, they have rather fallen short of their duty; but I say that in a case where they have undoubtedly gone beyond what the law allowed, compensation to any person suffering from their wrong ought to come from the public funds, and not from their neighbours. Let me observe that until the Bill brought in yesterday no intimation was given in the slightest degree that any of these persons would receive compensation from the public or from any other source. I rather think it was intimated to them they need not expect compensation from any source. But I would much rather look forward to the future than back to what has been rightly or wrongly done. I would much rather look forward to what can be done best at the present moment; and I think the Members of Her Majesty's Government will admit that in this House, and also in another place, no indisposition has been shown fairly to consider the questions brought before them. Certainly there has been no factious spirit—no disposition to create embarrassment to the Government. On the contrary, all parties have been desirous of pushing forward the remedy proposed as fast as possible. But, if I am rightly informed—and I have no means of information other than those which all the public have—the measure proposed is one of a very intricate and complicated character. There is another Bill—a rival Bill—brought forward by an independent country Gentleman, and which is also of a somewhat complicated character. But there are certain general provisions with regard to which all parties seem agreed, and there are, on the other hand, a variety of minute details on which the greatest possible difference of opinion prevails. Now, I would offer a suggestion to Her Majesty's Government. The emergency is pressing, and must terminate towards the end of next month; it is, therefore, essentially necessary that the measure should be brought into operation with the least possible delay, I would suggest whether it is not practicable, instead of proceeding through all the details of the Bill, and through all its stages in both Houses, open as it is to discussion in various complicated provisions, to introduce simultaneously in both Houses Resolutions embodying those points on which there is no difference of opinion. Take, for example, the power to prohibit fairs and markets; the power to prohibit the moving of stock between this period and the 25th of March; the power in certain circumstances to slaughter diseased animals, or infected animals — the word "infected," I believe, has been interpreted elsewhere to mean animals brought into contact with diseased animals, and are, therefore, supposed to be infected with disease, it may be quite right to take absolute power to slaughter them. Pass Resolutions prohibiting the transit of cattle on roads and railways, except fat cattle for immediate consumption; give power to slaughter infected animals, and where they are slaughtered under the direction of inspectors authorized by the Government, declare that the owners shall be entitled to compensation. These three or four simple Resolutions might be passed by the two Houses together, leaving out of consideration for the present all the details of the Bill. In my mind, nothing is more doubtful than the provisions as to compensation; but I would suggest to Her Majesty's Government that they should propose a Resolution merely affirming that owners of cattle slaughtered under these circumstances should be entitled to compensation; and then pass another Resolution, authorizing Government to pass Orders in Council for giving effect to these Resolutions, such Orders in Council being of no validity after the 25th of March. If Her Majesty's Government will take that course you may have an effective measure in three days. I am quite certain, that with every desire to forward the Bill, there is very great doubt whether a Bill of such complicated provisions can pass the two Houses in less than three weeks. Well, but these three weeks are of the utmost value, and if you could anticipate that by ten days, or even a week, by proceeding by way of Resolutions rather than by Bill, when the object is to meet a temporary emergency, which will last only from this time to the 25th of March, you will remove the greatest possible difficulties, you will save the country an enormous sum of money, and take the best means in your power of putting an early stop to this most formidable plague. Of course, it rests with Her Majesty's Government to adopt it or not. I only suggest that arrangement. As far as I am concerned, if they are disposed to take that course, I shall not be too strict in criticizing the terms of the Resolutions they may bring forward, the great aim and object being to give the Government the requisite powers of promptly, expeditiously, and, I hope, successfully, dealing with this great calamity.

EARL GREY: I hope the Government will be very cautious before they adopt the suggestion which has just been thrown out. It seems to me a very dangerous principle to establish, even under the pressure of such an emergency as now exists, to legislate by Resolutions. I think nothing is more important than that Parliament should adhere to the ordinary practice of legislating on graver matters itself, and there are many points connected with the proposed Resolutions which obviously and clearly exceed the powers of the law. The reason why the Bill is brought forward is that they find there are powers necessary which the existing Act does not enable the Government to exercise by Order in Council. For instance, one of the great faults of the present system is that there is no power of stopping animals on the road. In my own county parties openly defy the law. [The EARL of DERBY: Why don't you take that power?] It seems to me that it would be better that Her Majesty's Government on the one side, and independent Members of the two Houses on the other, should show an earnest desire to come to an agreement as to what ought to be done. I cannot help thinking that by proper communications between some of the leading agriculturists on the one hand, and Her Majesty's Government on the other, the principle of the arrangement to be made might be agreed upon; and, that having been done, the case being one which does not admit of delay or long discussion, the Government might be allowed to pass their Bill as rapidly as the forms of the Houses would allow, Parliament taking it very much on their judgment and responsibility. I am quite prepared to take that course. I do not think it would be impossible that the decision of Parliament should be pronounced on some of the great leading questions —for instance, on the point mentioned the other evening, whether cattle should go to the butcher or the butcher should go to the cattle. Guided by the opinion pronounced by Parliament, I do not see why the Government should not pass a Bill, such as they have laid on the table, modified, if need be, according to the expressed opinion of the two Houses, the details being taken pretty much as a matter of confidence in the Government.

THE MARQUESS OF BATH said, he thought the Government ought to be careful before adopting the course suggested by his noble Friend (the Earl of Derby). A great deal might depend on the details of the arrangements to be adopted. One point to which farmers and owners of stock attached importance was the question of slaughtering cattle, and another point of importance was in whose hands the power to slaughter cattle should be placed. He had no hesitation to say generally that it would not be satisfactory to the country that that power should be in the hands of the present inspectors. With regard to the movement of cattle, he believed that that might be safely prohibited until the end of this month; but in many parts of the country, particularly in the West of England, it could not be prevented after the end of the month, without certain relaxations. The question then arose, in whose hands should the power of granting these relaxations be placed? It was not merely necessary to pass general Resolutions expressing the opinion of Parliament on the more important matters; but every minute detail should be considered if they desired to pass a measure giving satisfaction to all parties affected by it. He would suggest whether it might not be possible, while the Commons were passing the Bill through their House, for their Lordships to appoint a Select Committee to consider the subject, so that they might be ready without loss of time to recommend alterations in the measure when it should come before them.

EARL RUSSELL: I do not think it necessary, after the explanation given by my noble and learned Friend the Lord Chancellor, to detain your Lordships on the question of law. It appears to me that the Act of 1848 being for the purpose of preventing the spread of disease among sheep in the first place, but its provision being made applicable to cattle also, the regulation which the Privy Council made came, in fact, within its scope. The order given for slaughtering diseased cattle was necessary to prevent the spread of disease; and within the last fortnight various resolutions have been passed in different parts of the country, recommending the slaughter of such cattle as the one thing needful. A good deal of objection was at first made to the slaughter of these cattle, but after a time, opinion settled down generally as to the measures which ought to be taken. The special question which the noble Earl opposite has raised, as to whether public funds should be employed to pay the compensation—

THE EARL OF DERBY: Only in respect to those cases where cattle have been slaughtered by inspectors without sufficient authority by Act of Parliament.

EARL RUSSELL: If the inspectors have done anything illegal, no doubt there would be a legal remedy against them. Of course, the Government would not allow the inspectors to bear the loss. But I do not admit, what my noble Friend takes for granted, that the order given by the inspectors for the slaughter of these cattle was beyond the authority of the Act of Parliament. In fact what these inspectors did was to destroy a nuisance which would have resulted from allowing these cattle to go through the country, and so spread the disease. As the diseased cattle were actually doing mischief and evil they constituted a nuisance. There is an enactment by which certain officers in the City of London are empowered to destroy all unwholesome fish in the fish market, and as these cattle, being diseased, would have spread the infection throughout the country, it was quite right that they should be slaughtered. The noble Earl (the Earl of Derby) has made an important suggestion to the effect that certain Resolutions should be passed by both Houses, and that the Government should be empowered to carry out those Resolutions by Order in Council; but I agree with the noble Earl who spoke from the cross-bench (Earl Grey), that it would be very dangerous to take that course. The very same question as has been raised to-night might be raised with regard to the authority of those Resolutions; because it would be impossible in those Resolutions to provide for all the minute details which would be necessary. It would be better to accept another suggestion, that all matters most urgent should be taken out of the Bill of the Government, and passed in the ordinary way. If Resolutions were good for the purpose, I do not see why the same Resolutions should not be put in a Bill which should be brought in and passed in the usual way. I quite agree with the noble Earl in thinking that, without distinction of party, your Lordships will concur in any measure necessary for preventing the spread of the cattle disease; and I hope that the House will pass it soon, as time is of the utmost importance.

THE EARL OF CARNARVON said, that with regard to the legal part of the question he must say that after reading the Act of 1848 he was more and more puzzled, and he must ask for some further explanation on one or two points. The Act, as his noble Friend stated, referred in the first instance to disease among sheep, and, in the second place, to disease among cattle; and these two subjects appeared to be jumbled together in the most extraordinary and confused manner. By the first clause power was given to justices of the peace to slaughter any sheep or lambs; so that their Lordships would perceive that the power of slaughtering simply related to sheep and lambs; but, by the Order in Council which they were now discussing power was taken not to slaughter sheep or lambs, but cattle as well. Now, he wanted to know how it happened that the Order in Council took a power which did not appear in the Act. These Orders in Council ought not to be called Orders in Council at all, for they were not the Orders of the Queen in Council, but of certain Lords of the Privy Council. The Queen in Council had power to exercise a certain authority, but any authority which the Lords of Council exercised must be derived from some Act of Parliament. The fourth clause of the Act of 1848, which was the only clause which dealt with this matter, gave the Lords of the Privy Council power from time to time to make certain regulations and orders; but it seemed that the Lords of the Privy Council had transferred these powers to local authorities, though nothing could be more distinct that the legal maxim, *delegatus non potest delegare*. He should be very glad to receive some explanation from the Government on the points to which he referred.

EARL GRANVILLE said, the Government had acted in the course which they pursued in accordance with the best legal advice—that of the Law Officers of the Crown. The Orders in Council were, under the operation of the Act of Parliament, prescribed to be passed some in one way, some in another, and there could not be the slightest doubt that those to which the remarks of the noble Earl pointed had been passed in conformity with the law. [The EARL of DERBY: The Lord Chancellor says not.] He appealed to the noble and learned Lord whether that was not the case; but, be that as it might, if the noble Earl who had raised these legal questions would give notice that he would again bring them forward, he should be prepared to give him a distinct answer.

THE LORD CHANCELLOR said, he must protest against the assertion that he had admitted that the course that had been taken in reference to the Order in Council was illegal. What he had admitted was that the Government found themselves in great difficulty owing to the loose manner in which the Act was worded. The preamble referred only to sheep; but in the body of the Act there were general words, which included cattle as well. He had also stated that the Act was of a remedial character, and that therefore it must be construed with a view to promoting the object intended to be effected by it. With respect to the observation of the noble Earl, *delegatus non potest delegare*, this point had not escaped the notice of the Attorney General. The Law Officers came to the conclusion that there had been no delegation. The acts authorized to be done were authorized by the Council:—what the justices were to do was to say whether the Orders were applicable to particular districts. He had not the clause before him, and could not therefore analyse or scan its provisions, but if the noble Earl looked at the wording he would see that this was so.

THE EARL OF MALMESBURY suggested, that the only way of settling the question satisfactorily would be to bring an action either against the Government or their inspectors, for the slaughter of cattle in some particular instance.

EARL GRANVILLE said, he should like to know what amount of damages would be obtained under the circumstances.

House adjourned at a quarter before Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 13, 1866.

MINUTES.]—*Select Committee*—On Standing Orders, Mr. Hastings Russell *added;* on Education *appointed.*

SUPPLY—*considered in Committee*—Resolution to be reported to-morrow.

PUBLIC BILLS—*Resolutions in Committee*—Tests (University of Oxford); Parliamentary Oaths.

Ordered—Church Rates Abolition*; County Infirmaries (Ireland)*; Church Rates Commutation*; Tests (University of Oxford)*; Juries in Criminal Cases*; Parliamentary Oaths.

First Reading—Church Rates Abolition*[11]; County Infirmaries (Ireland)* [14]; Church Rates Commutation* [12]; Tests (University of Oxford)* [15]; Juries in Criminal Cases* [16]; Parliamentary Oaths* [13].

COMMONS AND OPEN SPACES (METROPOLIS).—QUESTION.

MR. DOULTON asked the First Commissioner of the Board of Works, If it is the intention of Her Majesty's Government to introduce, early this Session, a Bill having for its object the preservation of Commons and Open Spaces in and around the Metropolis?

MR. COWPER replied, that it was his intention to propose a Bill on the subject. He had it in preparation, and he hoped that he should be able to introduce it very shortly.

The Lord Chancellor

THE BANK CHARTER ACT.

QUESTION.

MR. SAMUELSON asked Mr. Chancellor of the Exchequer, Whether he intends, during the present Session, to introduce an Amendment of the Bank Charter Act of 1844, enabling the Bank of England to increase its issues against securities, beyond the amount to which they were at present limited by that Act?

THE CHANCELLOR OF THE EXCHEQUER said, that considering the state and prospects of public business, he was more than doubtful whether it would be in the power of the Government, during the present Session, to make any proposal relating to the difficult subject of the issue of bank notes. As regarded the particular Question put by the hon. Member, if it implied that the Government might have an intention of enabling the Bank of England to resume the discretionary system which prevailed prior to the passing of the Act of 1844, he was bound not to limit his answer to the present Session; and he would, therefore, say that the Government would not be disposed to enable the Bank of England to resume that system either in the present Session or in any other.

EDUCATION OF CHILDREN IN MANUFACTURING TOWNS.—QUESTION.

MR. FAWCETT asked the Secretary of State for the Home Department, Whether, viewing the deplorable condition of the Children employed in many of the Trades in Sheffield and other towns, it is the intention of Her Majesty's Government to introduce a measure for regulating the Employment and securing the Education of those Children.

SIR GEORGE GREY replied, that his hon. Friend the Under Secretary for the Home Department intended to give notice on an early day of his intention to ask leave to introduce a Bill to give effect to some further recommendations, beyond those which had already formed the subject of legislation, made by the Commission on the employment of women and children.

THE SMOKE NUISANCE.—QUESTION.

SIR ROBERT PEEL asked, Whether it is the intention of Her Majesty's Government to introduce, during the present Session, a measure for the purpose of abating nuisances arising from the smoke of chimneys in towns and country districts in the vicinity of towns similar to the Bill passed in 1853 for the Metropolis?

SIR GEORGE GREY replied, that the Act which applied to the metropolis had had a most beneficial effect, and it was desirable to extend it to the whole country. No Bill had been at present prepared with that object, but he felt the importance of the subject. He hoped it might be possible to extend the provisions of that Act.

CATTLE DISEASES BILL.—QUESTION.

MR. TOLLEMACHE asked the Secretary of State for the Home Department, Whether, when the House is in Committee on the Cattle Diseases Bill, he will consent to separate the compensation clauses from the other portions of the Bill, and to embody such clauses in a separate Bill? Cheshire would be greatly affected by the compensation clauses; but he had had no opportunity of consulting with any persons connected with that county respecting those clauses, as he had not yet received a copy of the Bill.

SIR GEORGE GREY said, it would be impossible for him to accede to such a request. The payment of compensation for animals slaughtered, by order of the local authorities, and the power to cause such animals to be slaughtered, were essentially connected. The power to slaughter could not be given without a power to award compensation. At all events, he thought it would be better to postpone, to a future occasion, any consideration of the question of separating the Bill into two parts.

MR. SCLATER-BOOTH thought it would be more convenient to leave all details as to the mode of raising the money for compensation, in order that they might be dealt with in a separate Bill.

MR. TOLLEMACHE asked, if he was to understand that the right hon. Gentleman definitively declined to accede to the request which he had just made?

SIR GEORGE GREY repeated that he thought it would be impossible to separate those two provisions of the Bill.

ASH WEDNESDAY—ADJOURNMENT OF THE HOUSE.

On the Motion of MR. CHANCELLOR of the EXCHEQUER, it was ordered, "That the House at its rising do adjourn till to-morrow at Two of the clock"—(the morrow being Ash Wednesday.)

LEEDS BANKRUPTCY COURT.

QUESTION.

MR. HOWES asked the Attorney General, Whether any steps have been taken to prosecute the Reverend George Rogers Harding, Patrick Robert Welch, and the Hon. Richard Bethell, or any of them, for corrupt practices in obtaining, or attempting to obtain, a judicial appointment, as suggested by the Report of the Select Committee on the Leeds Bankruptcy Court; and, if no such steps have yet been taken, what is the cause of the delay?

THE ATTORNEY GENERAL said, that in accordance with the recommendation of the Select Committee appointed by the last Parliament, and with the engagement which the Government gave at that time, criminal informations were filed last Michaelmas Term against Mr. Welch and the Hon. Richard Bethell, and they now stood on the list for trial at the present sittings; and as far as the Crown was concerned, they were ready to proceed to trial. As to the Rev. Mr. Harding, I think that the hon. Gentleman will feel that if the Crown had prosecuted him it would have thrown delay and difficulty in the way of a proper investigation of the matter; because Mr. Harding will be a most necessary witness, and it would indeed be impossible to proceed with the prosecution without his evidence.

JAMAICA.—QUESTION.

SIR JOHN PAKINGTON asked the Secretary of State for the Colonies, Whether he intends to bring on his measure for the Government of Jamaica on Thursday next? He suggested that neither the Jamaica Bill nor any other business ought to impede the progress of the Cattle Diseases Bill, and he trusted the Government would proceed with that Bill *de die in diem.*

MR. CARDWELL said, he was entirely in the hands of the House in regard to this matter. It was certainly important that early provision should be made for the Government of the colony; but the Cattle Diseases Bill would have the precedence of other business on Thursday, and if the Bill relating to Jamaica should be called on at so late an hour that the House would be unwilling to hear his statement, he should not of course press it. He was, however, anxious that the Government of the colony should receive early legislation in that House.

COMMITTEE OF COUNCIL ON EDUCATION.

SELECT COMMITTEE APPOINTED.

SIR JOHN PAKINGTON, in moving that a Select Committee be appointed to inquire into the constitution of the Committee of Council on Education, &c., said, that the Motion was, in fact, for the renewal of a Committee which sat during the whole of last Session, and which was engaged in the investigation of the two Questions stated. The scope of the inquiry proved to be so extended, and the evidence so voluminous, that the Committee were unable to conclude their labours and present their Report; and, under these circumstances, he contented himself by merely moving for the re-appointment of the Committee.

Motion *agreed to.*

Select Committee *appointed*, "to inquire into the constitution of the Committee of Council on Education, and the system under which the business of the office is conducted; and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to schools at present unassisted by the State."—(*Sir John Pakington.*)

And on February 20 Select Committee *nominated* as follows:—

Sir JOHN PAKINGTON, Mr. BRUCE, Viscount CRANBOURNE, Mr. BUXTON, Mr. HOWES, Mr. CLAY, Mr. ADDERLEY, Mr. HENRY COWPER, Sir STAFFORD NORTHCOTE, Sir COLMAN O'LOGHLEN, Mr. WALPOLE, Mr. SHAW LEFEVRE, Mr. LIDDELL, Mr. MORRISON, and Mr. STIRLING:—Power to send for persons, papers, and records; Five to be the quorum.

CATTLE PLAGUE (IRELAND).

MOTION FOR PAPERS.

LORD NAAS, in rising to move for "Copy of the Report of the Committee convened by the Lord Lieutenant of Ireland to consider the measures that might be adopted for arresting the progress of the Cattle Plague, in case of its appearance in Ireland," and to ask when the Bill promised by the Secretary of State will be laid upon the table, said, he hoped the great importance of the matter would excuse the few remarks he proposed to address to the House. Ireland was now placed in presence of one of the greatest dangers that ever menaced a country. The destructive effects of the cattle plague in England had been very great; but if, unfortunately, the plague should extend to Ireland, the misfortune would be fifty times as disastrous to that country. He could not help, therefore, expressing his regret that the Government had not, on the first night of the Session, laid a Bill on this subject on the table of the House. The committee which was convened by the Lord Lieutenant agreed to certain specific resolutions, which proposed to deal with this disease, should it arise, in that country in a manner different from the mode in which it had been dealt with in this country. The Irish Government had adopted those recommendations, in so far as it was in its power to do so, by Order in Council. They had agreed that, in case an outbreak of the disease took place, the best thing to do would be to draw a cordon at once around the infected district, to adopt the most stringent measures against the ingress and the egress of cattle, and to enforce the compulsory slaughter of infected cattle. But here a difficulty arose, for the committee recommended that the compulsory slaughter of cattle should be accompanied by compensation up to two-thirds of the value of the animals destroyed. In this country he believed that one of the greatest misfortunes incidental to the cattle plague had been the unfortunate Order in Council which gave powers of compulsory slaughter without offering compensation. The system suggested by the committee which had now been for some weeks before the country, and had received very general approbation on all hands, would really be inoperative and come to nothing unless it were supplemented by sufficient compensation for slaughtered animals. Though, happily, the measures which had been taken had been, under Providence, the means of diverting this terrible disaster from the shores of Ireland, yet the country ran daily risk of an outbreak of the disease. It was liable to happen at any moment, and if such an outbreak should occur, the Government were without the power to carry out the measures which all in Ireland admitted to be necessary. Not a moment was to be lost in introducing and passing a Bill, and he believed that Government would find very little difficulty in the matter. A question might, perhaps, arise as to the mode in which the compensation was to be levied, but that would be easily settled. He hoped that, before another day elapsed, they might have an opportunity of seeing the measure of the Government, and that, if possible, it would be made law within a week. He must, however, warn the Government that they would make a mistake if they intrusted the enforcement of their measures to local authorities, who could not carry out the system recommended by the committee. It must be carried out by Government officers alone, and its operations must be uniform throughout the country. No board of guardians, or magistrates in petty or quarter sessions, or committee of a grand jury, could carry out the system recommended with any chance or hope of success. He hoped, therefore, that a Bill embodying the recommendations of the committee would be introduced immediately by the Government, and that the Government would take on themselves the responsibility of carrying out all its provisions.

SIR GEORGE GREY said, that there was no objection to the production of the Report. The Government had been in communication with the Lord Lieutenant on the subject of the measures that it was desirable should be adopted in the event of the cattle plague appearing in Ireland, and the Attorney General and the Solicitor General had been instructed to draw up a Bill founded on the report of the committee and on the views of the Lord Lieutenant. It was, however, quite necessary that the Bill should be seen by Lord Wodehouse and the Irish Government, and he could not therefore fix the day when it would be brought in; but it would be introduced on an early day. There was this difference between Ireland and this country, that in Ireland there was an army of police directly responsible to the central Government and not to the local authorities, and therefore that could be done in Ireland which there was no means of doing here.

Motion *agreed to:* Return *ordered.*

PARLIAMENTARY OATHS BILL.

RESOLUTION IN COMMITTEE. BILL READ THE FIRST TIME.

Acts read ;—*considered* in Committee.

(In the Committee.)

SIR GEORGE GREY said, that the subject he was about to introduce was one which, like several others that had been adverted to that evening, had been frequently brought under the notice of the House. A considerable discussion had taken place on it only so recently as last Session. He did not propose, therefore, to trouble the House at any length, but should reserve a fuller statement of the objects of the Bill for the second reading, provided as he hoped that the House allowed him to bring it in. But he would state shortly the purposes of the Bill. There were now two distinct oaths taken by Members of the House; one by Protestants and the other by Roman Catholics. The Protestant oath was framed in 1858, when an Act was passed consolidating the three oaths, which, previous to that period, were taken separately, of allegiance, abjuration, and supremacy. With regard to the part of the oath which relates to allegiance to the Crown, which was common to both Protestants and Roman Catholics, no one could refuse for a moment to admit that it was a very proper oath to be taken by every Member of the House. He did not think there was a Member of the House who would not take that oath willingly. But, with reference to the second part of the oath taken alike by Protestants and Roman Catholics—the oath of abjuration—he thought they would all agree that the time had come when it could and ought to be dispensed with. It was first required to be taken in the reign of William III., on the death of James II., and the assumption by the son of James II. of the title of King of England, when in fact a real danger menaced the Throne of this kingdom. Rather, however, than give his own opinion of this part of the oath, he would quote the words of a most eminent authority—Lord Lyndhurst — and which were spoken in 1858. He said—

> "The object of this oath had long ceased. The descendants of the Pretender had long been extinct. What, then, was the course which every man of common sense would consider ought, under those circumstances, to be pursued? Simply to repeal the oath framed for a particular purpose, and the utility of which was now at an end."

The latter part of the oath taken by Protestants, embodying the negative part of the oath of supremacy in which the jurisdiction of the Pope, or of any other foreign prince in this country is denied, appeared to him to be entirely useless. He could not see the necessity of any Protestant Member of the House being called upon for a declaration that the Pope had no spiritual or ecclesiastical jurisdiction in this country. It was really an absurdity in the case of Protestant Members, none of whom can be suspected of holding such an opinion. As it respects, therefore, a Protestant Member, the oath of allegiance seems to be quite sufficient. As to the oath taken by Roman Catholics, the same reasons which he had given in the case of the Protestants, as to that part of it which required the abjuration of the Pretender, applied equally to them. There were other portions of the Roman Catholic oath framed in 1829 as a security against any danger arising from the admission of Roman Catholics to Parliament, which formed the subject of a great deal of discussion last Session—into these he did not wish now to enter or to invite debate. He concurred at that time with the right hon. Member for the county of Limerick (Mr. Monsell), who introduced a Bill on that subject, that portions of the oath were needlessly offensive to Roman Catholics, and that there was not the slightest use in retaining them, and that other parts were ambiguous, and open to doubtful and complicating construction; and, therefore, he supported the proposal made by his right hon. Friend last Session for their omission from the oath. The hon. and learned Member for Belfast (Sir Hugh Cairns) acquiesced in those omissions, so far as they embraced those words which were obviously offensive. I do not, therefore, anticipate any difference of opinion as to them. Other parts of the oath related to the settlement of property and the maintenance of the Established Church, and of the Protestant religion. With regard to these he had only to say that in his opinion no real security for the Established Church or the Protestant religion was given by their retention, and he thought that we ought not, needlessly, to place our Roman Catholic fellow subjects, as Members of the Legislature, on a footing different from that we ourselves occupy. As to the denial of the jurisdiction or authority of any foreign prince or prelate, Roman Catholics were, for obvious reasons, exempted from the denial of spiritual authority, and while it seemed absurd to require this denial only from those who have no concern in it, the necessity for denying civil or temporal authority is obviated by the oath of allegiance, and he (Sir George Grey) was not aware that any Roman Catholic would hold that the Pope exercised any civil or temporal jurisdiction within this country. In fact, the person who would assert this would fail in his allegiance, and might bring himself within the penalties of treason. The opinion which he (Sir George Grey) had expressed last Session was very generally concurred in—namely, that there should be one uniform oath for all. If there was one general oath, they might limit it to the first part of the oath taken without hesitation both by Protestants and Roman Catholics, which would be substantially the oath of allegiance to the Crown. The Members professing the Jewish religion sat now in that House not by absolute right but by sufferance, the result of a compromise adopted to terminate a long struggle, but it was impossible not to see that that arrangement must be temporary. Those Gentlemen had sat there for some years, and it would be absurd to ask if any danger had arisen to the Crown, the Church, or the Constitution, from Jews sitting in that House. They had taken part, with credit to themselves, in the discussions in the House, and had performed their duty with integrity and ability. He (Sir George Grey) thought the time was come when the Members professing the Jewish religion should be admitted to all the privileges which were enjoyed by the Members of other religious denominations. By the adoption of the measure he proposed Members would be relieved from the necessity, on coming to the table after a general election, of ranging themselves in three divisions when taking the oaths. Let no man be asked any question as to his religion, but let him take his seat in the House if qualified to sit there, in the opinion of those who sent him there, on taking the oath of allegiance as a loyal subject of the Crown. The Bill which he proposed to introduce would be a short one, repealing the present oaths, and providing that the oath to be taken shall be as follows:—

> "I A. B., do swear that I will bear faithful and true allegiance to Her Majesty Queen Victoria, and defend her to the utmost of my power against all attempts and conspiracies whatever that shall be made against her crown, power, and dignity."

The right hon. Baronet concluded by moving—

> "That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the law relating to Parliamentary oaths."

Mr. NEWDEGATE said, that considering the nature of the Bill which the right hon. Baronet had proposed, the tone of his speech was singularly smooth. He seemed to treat his proposal as though it dealt with matters of but slight importance—matters almost of indifference. No one who heard the right hon. Gentleman could, from his tone or his manner, have believed that he was proposing the disturbance of a great constitutional settlement. He (Mr. Newdegate) did not intend to take the sense of the House at present on the subject-matter of the intended Bill, though divisions had often been taken at the outset of proposals, which, as in the present case, would destroy a settlement that had been adopted, after a controversy upon this subject which had lasted eleven years. It was eight years since the Oaths Consolidation Act was passed, and Parliament was now asked, after so short an interval, to disturb the settlement then made with respect to Parliamentary oaths. He held in his hand a pamphlet which had been circulated among the Members of the House. It was entitled *Brief Suggestions as to the Oaths taken by Members of Parliament and Others—Her Majesty's Subjects.* The tone of the pamphlet was similar to that adopted by the right hon. Gentleman the Secretary of State for the Home Department. The substance was much the same as that of the right hon. Baronet's speech. There was no author's name appended to the pamphlet, and it was printed for private circulation. He (Mr. Newdegate) almost came to the conclusion that it emanated from the right hon. Gentleman. If the pamphlet did not emanate from the right hon. Gentleman, perhaps he had picked out such portions as he thought might be used in inducing Members of the House to accede to his proposal. He (Mr. Newdegate) would ask the attention of the House to the few observations he was about to offer on the subject of the Oaths Bill. It was quite true that the primary object of the oath taken by Members was to obtain from them a declaration of allegiance. No one had as yet been bold enough to propose the abolition of the oath of allegiance. The allegiance of Englishmen, however, was not simply the allegiance of subjects to an absolute Sovereign, but the allegiance of citizens to a Sovereign who was bound by certain conditions as to the administration and exercise of her power. The right hon. Gentleman asked, "Why not sweep away the oath of abjuration, now that the Pretender and his lineal descendants are no more?" But the right hon. Gentleman took care never to touch upon the fact that that oath limits the succession to the Crown to the descendants of the Princess Sophie of Hanover, being Protestants. Now, one condition of our allegiance is that the Sovereign shall be a Protestant. He might be told that that great advantage is secured by the Act of Settlement. But if it was thought necessary still to retain the declaration of allegiance, why was it now sought to deprive the Protestant subjects of Her Majesty of the advantage enjoyed and the security conferred by the public recognition of the fact that the Sovereign must be a Protestant? Then the right hon. Gentleman proceeded to the oath of supremacy, and proposed to sweep away the negative portions of it. Perhaps hon. Gentlemen were not aware of what was contained in those negative portions. The man who took the oath condemned and rejected the pretensions of any foreign Power whatsoever, by whomsoever pretended rightfully to exercise any authority, ecclesiastical or temporal, spiritual or civil, within these realms. That was no slight security to abandon. The concession of the right hon. Gentleman was no slight concession to propose. He would not detain the House by going into the provisions of the Roman Catholic oath which it was proposed to repeal, since that subject had been not long since debated. Let it suffice to remind the House that it contained declarations to be made on the part of Roman Catholics that they would not use the power or privileges to which they might become entitled by virtue of the functions or offices to which they were admitted for the disturbance of the rights of property or the rights of the Church of England within these realms. He would ask whether, at the present time, when the Fenian conspiracy was at work in Ireland, when they all rejoiced to see many Roman Catholics proving by their conduct that they abide by the declaration contained in their oath that they will not sanction the disturbance of the settlement of property—he would ask whether this was a fitting and appropriate opportunity for absolving them from this public recognition of the sanctity of property? Hon. Members should remember that their oaths included and recognized, not merely the sovereignty of the Queen, but the rights of the subject, the sanctity of property, and the rights and privileges of the Established Church. If there were Members of that House who would disturb these sacred portions of our law and constitution, were they men in whose favour the House would abrogate the provisions of those oaths which had been taken willingly, cordially, and *ex animo* by every Member of that House within the last ten days, and for so many years past? He might ask whether the attitude of the Papacy and its agents in this country at present was such as would commend this proposal to the approbation of the House? Why, it was but last week that Dr. Manning preached a sermon at the Oratory hard by in laudation of St. Thomas, as they styled him. [*Laughter.*] Hon. Members laughed; perhaps they did not know whom Dr. Manning meant by St. Thomas. Why, it was no other than Thomas A'Becket—an Archbishop of Canterbury who resisted the laws of this country, and who lost his life in consequence of his rebelling against the constitutions of Clarendon—constitutions passed 700 years ago by our Roman Catholic ancestors, to guard the freedom and independence of this country against the intrusion of a foreign jurisdiction—that of the Papacy—laws passed for the very same object and purpose for which the negative declarations in the oath of supremacy were now retained, and against which, in the very sermon to which he had alluded, Dr. Manning protested, and urged all whom he could influence to rebel. He would not pursue the subject further. He would only say that the oaths—great part of which the Government now sought to destroy—represented a settlement established by Parliament only eight years ago, after a struggle of eleven years. Under existing circumstances, it was not becoming in Her Majesty's Ministers to propose to disturb that settlement; indeed, it was scarcely decent.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to Parliamentary Oaths.

Resolution *reported.*

Bill *ordered* to be brought in by Sir George Grey, and Mr. Chancellor of the Exchequer.

Bill *presented,* and read the first time. [Bill 13.]

SUPPLY.

Motion for Supply,—Committee on Motion, "That a Supply be granted to Her Majesty."

Queen's Speech *referred*:—Motion *considered.*

(In the Committee.)

Queen's Speech read.

Resolved, "That a Supply be granted to Her Majesty."

Resolution to be reported *To-morrow.*

CHURCH RATES ABOLITION BILL.

On Motion of Mr. Hardcastle, Bill for the Abolition of Church Rates, *ordered* to be brought in by Mr. Hardcastle, Mr. Dillwyn, and Mr. Baines.

Bill *presented,* and read the first time. [Bill 11.]

Mr. Newdegate

COUNTY INFIRMARIES (IRELAND) BILL.

On Motion of Mr. Pollard-Urquhart, Bill for the better regulation of County Infirmaries in Ireland, *ordered* to be brought in by Mr. Pollard-Urquhart and Mr. O'Reilly.

Bill *presented,* and read the first time. [Bill 14.]

CHURCH RATES COMMUTATION BILL.

On Motion of Mr. Newdegate, Bill for the commutation of Church Rates, *ordered* to be brought in by Mr. Newdegate and Lord Robert Montagu.

Bill *presented,* and read the first time. [Bill 12.]

TESTS (UNIVERSITY OF OXFORD).

Acts read;—*considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to abolish certain Tests in the University of Oxford.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. Coleridge and Mr. Grant Duff.

Bill *presented,* and read the first time. [Bill 15.]

JURIES IN CRIMINAL CASES BILL.

On Motion of Sir Colman O'Loghlen, Bill to codify and amend the Law in relation to the keeping together and discharge of Juries on the trial of Criminal Cases, *ordered* to be brought in by Sir Colman O'Loghlen and Colonel French.

Bill *presented,* and read the first time. [Bill 16.]

House adjourned at half after Five o'clock.

* * *

HOUSE OF COMMONS,

Wednesday, February 14, 1866.

MINUTES.]—Supply—Committee *appointed* for Friday.

Resolution [Feb. 14] *reported.*

Public Bills—*Second Reading*—Cattle Diseases [6]; Cattle Plague* [7].

CATTLE DISEASES BILL—[Bill 6.]

SECOND READING.

Moved, "That the Bill be now read the second time."—(*Sir George Grey*).

Mr. HUNT: Sir, in common with those Gentlemen who have been kind enough to assist me in the preparation of the measure which I laid on the table the other night, I have had the greatest difficulty in arriving at a conclusion as to what course I ought to take with regard to the Bill now before the House, in consequence of the very great delay which took place before the Bill reached the hands of Members. I have had some experience as to the necessity for such delay. On Thursday last, after the meeting in St. James' Hall, it first entered my mind to bring in a Bill. At that time I had no Bill prepared, but I gave my Notice to the House within an hour after the meeting. On Monday, when I moved for leave to introduce the measure, I had a proof of the Bill in my hand, and copies were in the hands of Members the next morning. If an independent Member who has no special means at his disposal for preparing Bills can have a Bill prepared and circulated within that time, I ask whether the Government, with every means at their disposal, cannot do the same thing? I appeal to the House to compare the two Bills, not on their merit, but on their construction. I do not take any credit to myself on this point, because I am indebted to a legal gentleman for the structure of my Bill; but I ask whether the Government Bill does not bear far greater marks of haste than mine. The only conclusion I can come to is, that the gentleman who drew the Government Bill received his instructions so late that he was not able to do justice to himself. The delay and the extraordinarily inconvenient structure of their Bill convince me that till the last moment the Government did not know the nature of the Bill they were going to lay on the table. A Bill was announced in Her Majesty's most gracious Speech from the Throne; notice was given of its introduction the first night of the Session on which it was possible to do so; it was introduced the same night as mine; and yet it was not in the hands of Members till twenty-four hours after mine. I mention this to show the extreme embarrassment in which those who act with me are placed with regard to the Government Bill. Yesterday, between three and four o'clock in the afternoon, a certain number of copies of the Government Bill came to the House. I procured one; but having given it to a friend, I found that all the other copies had been disposed of, and I could not get another for myself till this morning. I was asked last night by the organ of the Government in communication with Members of this House what course I intended to take. I do not think an independent Member was ever placed in so embarrassing a position. It was suggested to me that if I assented to the second reading of the Government Bill to-day, the Government would assent to the second reading of my Bill. Under the stress of circumstances I consented to that arrangement; but do not let it be supposed that I think the Government Bill, so far as one point—and I wish to confine my remarks to this point, and to say nothing about the slaughter of animals, and the compensation to be given for them—do not let it be supposed that I think the Government Bill a satisfactory one. The point to which I allude is the removal of cattle. I believe it would be far better to keep to the present regulations, inasmuch as people have now got to understand them, rather than produce a new set of orders such as those provided in this Bill. I confess that when I heard the speech of the right hon. Gentleman (the Secretary for the Home Department) the other night I was not prepared for a Bill so permissive in its principle. And here, I venture to observe, that it requires very considerable attention to understand this Bill. If I misunderstand it, I do not think I shall be to blame. From the speech of the right hon. Baronet the other night I understood that with respect to removals the Bill would be this:—That there would be enacted in the Bill a code of regulations which all counties adopting the non-removal principle must accept; that it was to be left to the counties to adopt this principle or not, but that if they adopted it they must accept the statutory regulations. But I find that the whole structure of the Bill is framed in the sense of permission to the local authorities to adopt regulations or not: the idea of the Bill is permissiveness, and the difficulty of dealing with it in Committee will arise from the permissive power which it gives to local authorities in respect of those regulations. In the first clauses of the Bill, I think down to Clause 9, with the exception of the interpretation clauses, the several provisions have reference to getting the local authorities together, and giving them certain powers. The difficulty will be that if we pass these provisions in Committee we shall be assenting to the permissive principle. I do not see how we can go on passing these clauses in Committee if we are to deny discretionary power to those authorities. We then come to clauses which are compulsory on the local authorities; but I do not find anything new in them. Clause 13 makes it compulsory on all local authorities to slaughter diseased animals, and provides compensation. I believe that between the compensation views of the Government and my own views on the same point there is not very much difference; but as to compulsory slaughter, we have it now under the orders of the inspectors appointed by the local authorities. The 14th clause provides for the burial and disinfection of the carcass; but this is nothing new. Then we come to the purification of sheds in which diseased animals have died or are slaughtered; but, if I remember rightly, the inspectors have the power to order such disinfection now. Clause 16 provides for the slaughter of animals herding with diseased cattle. I believe this is a new power. Coming to the isolation of infected places, there are very stringent statutory rules as to what is to be done with those places. That is very good, but its value is destroyed by a provision leaving it to the local authorities to decide what the infected area is. They may say it is a shed, or a farm, or a hamlet, or a parish, or a petty sessions district, or a Parliamentary division, or a riding, or a county. And how are the local authorities to settle this? They must call in the best professional assistance to hand, and, perhaps, the inspectors may be the best; but I am sorry to say that the opinion of some of those inspectors is not worth more than the opinion of the first child whom you may happen to meet in the street. Now, one of the greatest difficulties we have experienced has been to find competent men to fill the office of inspector. So ignorant have some of them showed themselves that in some cases they had actually certified that no disease existed, where the cattle were in fact affected, and consequently spreading the disease around. Surely the Government could not suppose that by such a provision they were going to stop the operation of the infection. To come, however, to the question of the movement of cattle. That is a point to which I wish to draw the attention of the House, because it is in respect to this point that those who agree in opinion with me are completely at issue with the Government. The first paragraph of the 21st section is as follows:—

> "All cattle brought by sea from any place in Great Britain or from any place out of the United Kingdom into any town or place in Great Britain shall be marked by clipping the hair off the end of the tail, and no such cattle shall be removed alive from such town or place by land."

I do not object to that paragraph, though I do not know whether "by land" will include conveyance by railway. If not, however, the words may easily be amended in Committee. Then we come to the second paragraph of the same clause—

> "No cattle shall be moved, except by railway, after sunset and before sunrise, except within the limits of the metropolis, inclusive of the City of London."

That, I believe, is a regulation which has already been adopted by almost all the local authorities. The clause, however, makes this important exception, "except by railway." Now, on this point I am directly at issue with the Government. What I wish to insist upon is this—that unless you stop for a certain time all movement of cattle by railway it is utterly impossible to prevent the spreading of the infection—I believe that unless you do so it will be utterly impossible to ensure the cleansing or disinfection of the cattle trucks. Allow the cattle trucks to be in daily use, allow fresh animals to be conveyed in them, and you will keep alive the infection and have no power to stop it. The next paragraph is in these terms—

> "No animal shall be taken into the district of any local authority contrary to any prohibition of that local authority for the time being in force."

So it is to be permissive to the local authorities to exclude animals from their jurisdiction or not as they please. That was exceedingly objectionable—considering, too, that the Bill did not altogether prevent the movement of cattle by railway. It appeared, then, by the Government measure, that even though the local authorities should be desirous of excluding the introduction of cattle within their district they would not have the power of preventing their movement by railway, although they might stop them from passing along the ordinary roads. The clause, as it went on, again gave the local authorities a permissive power which he considered very objectionable—

> "No cattle shall be moved along any highway within the district of a local authority, except for a distance not exceeding 200 yards from part to part of the same farm, where the local authority has prohibited such movement; and where no such prohibition exists, no cattle shall be moved along any highway within the district of a local authority, except as aforesaid, without the licence or contrary to the tenor of the licence of such local authority."

So that if any local authorities do not choose to make a prohibition, you allow them to grant a licence of removal under any conditions they may choose to adopt. Now, those conditions may be of a very different and varied character in the several districts; and being so, the cattle owners will be compelled to run here and there for the purpose of ascertaining what are the conditions of the Orders which apply to particular districts into or through which they wish to send their cattle. That may appear to some hon. Members to be a small matter; but I can assure the House that it will prove a most serious and perplexing arrangement. The right hon. Gentleman opposite seemed the other night to think that I came here with the peculiar views of Northamptonshire. Now, those views were very fully expressed at a meeting over which I had the honour to preside, held in the Corn Exchange at Northampton, and the same resolution was passed there as was passed the other day, with only two dissentients, at the meeting held in St. James' Hall, at which representatives from forty-four counties were present. That shows that the views of Northamptonshire are the same as those which are entertained by the country at large. Still, Northamptonshire is very peculiarly circumstanced, and I ask permission of the House to refer to it for a moment or two. There are no fewer than nine counties bordering on it. It is also a very narrow county, and a great many farms extend into the adjoining shires. I even know of fields through which the county boundary line runs, and no man knows exactly where the two counties are actually divided. How are you to subject a man to different orders, relating not only to different parts of his own farm, but even to different parts of the same field? Consider, too, the expense such a system will entail upon the farmers of that county. According to this Bill we have to publish our Northamptonshire notices in our newspapers, and also in those of all our bordering counties. In the same way, all these counties have to publish their notices in our newspapers. People often want just to go out of the county and in again with their animals, and sometimes they actually will not be able to do so, except in accordance with the orders of three different local bodies. Is that, I would ask, an evil which ought to be disregarded? Then, there is another question which I do not think the Government have fully considered—a question of great importance with regard to the interests of cattle-owners. Although the prohibition of the movement of cattle may be absolute by the order of the magistrates in one district, the movement may be allowed under certain conditions under the order of the magistrates of a neighbouring district. The effect of such a varying and unequal state of things will be this—take the case of two adjoining counties:—If the movement of cattle is free in one and prohibited in the other, the persons who purchase fat cattle from the farmers will be able to get cattle almost at their own price in the county where the restrictions exist, because, if the farmers refuse to sell them, the purchasers could get what beasts they wanted in the county where there are no restrictions. I believe that the cattle owners in the counties which have been very hard hit by the disease would submit to almost any restrictions, if they thought they gave a chance of stopping the disease. But they say, and with sound reason, that it is but fair they should all be placed upon an equality. If the farmers of one district are to be subjected to certain restrictions they naturally complain that their neighbours should possess the advantage of being spared their infliction. That is the reason why they objected so much to the Government Order lately repealed with regard to cattle coming aliveout of the London market. They say, "If you prohibit all movement of cattle you ought to prohibit butchers going to the London markets and bringing cattle down by railway." For that same reason the Northamptonshire orders were not made so strict as they would otherwise have been. Then, I must refer to the next paragraph of the 21st section—

> "A licence under this section may be given by the local authority, or by some person duly authorized in writing by such local authority to give such licence, and such licence shall be in such form and subject to such conditions as the local authority may think expedient."

Now, it seems to me that under this section the local authorities will be able to do whatever they are empowered to do at the present time. The next paragraph is to the effect that persons having charge of animals moved under a licence shall produce the same on demand to any constable, policeman, or local officer. A similar provision is made in my Bill, and has been, I believe, in most of the local orders. Then comes the 22nd section, relating to the power of local authorities to make prohibitions. That, in fact, merely confers in express terms powers which the local authorities could have exercised even if no such clause had been inserted. It runs as follows:—

> "Every local authority shall have power by Order to prohibit altogether or to impose restrictions or conditions on the introduction into its district, and also on the removal from place to place within its district, of—1. Animals, or any specified description thereof, excepting for a dis-

tance not exceeding 200 yards from part to part of the same farm; 2. Raw or untanned hides or skins, horns, hoofs, or offal of animals, or of any specified description thereof, except hides, skins, horns, or hoofs imported into the United Kingdom from India, Australia, South Africa, or America; 3. Hay, straw, litter, or other articles that have been used in or about animals."

With regard to markets and fairs, the 23rd section says—

> "No market, fair, auction, exhibition, or public sale of cattle, shall be held during the time that this part of the Act is in force, except as hereinafter mentioned—that is to say, a market for the sale of cattle intended for immediate slaughter may be held, with the licence of the local authority of the district; provided, that in case of boroughs or burghs containing less than 40,000 inhabitants, according to the last census, a licence to hold a market in such borough or burgh shall not be valid unless confirmed by the local authority of the county in which such borough or burgh is geographically situate; or, if it adjoins more than one county, by the local authority of each of such counties."

So, here there is permission given to the local authorities of little towns to open markets and fairs, but only with the consent of the county magistrates; while in large towns the borough authorities will have sole jurisdiction. Now, what may not this give rise to—this allowing county magistrates to come in and control borough authorities? Was there ever such a bone of contention thrown out in the shape of an enactment? I will tell you one thing that will happen. In all the little towns, where the county authorities have control, they will stop the fairs and markets; but in all the large towns, where the borough authorities think only of the present and not of the future interest of the meat eaters, markets and fairs will be allowed. This will give rise to inequality with regard to trade, for butchers will be able to go to the large towns to buy, but not to the small towns. In this I perceive the one idea which seems to have pervaded the minds of the Government—namely, fear of the big towns. Now, if this interference of the county authorities is good for the small towns it must be equally good for the big towns. The big towns, however, seem to be the bugbear of the Government. I have addressed audiences in large towns, and I believe there is no subject which the working-classes will not take into consideration and reason upon fairly, if not rightly, if you put the arguments plainly and frankly before them. The political sentiments which I hold are not generally supposed to be acceptable to the working-classes in large towns; but I have always found that they were disposed to give me a fair hearing, or to enter into a consideration of the views and arguments opposed to their own opinions; and I believe that if the right hon. Gentleman fairly put before the country the reasons which induced him to propose a measure which would produce temporary inconvenience and privation to the inhabitants of large towns, they would, when they saw it was for their future interest, have cheerfully and gladly submitted to the hardships, they would see that the measure was for their own ultimate good as well as conducive to the interest of the agricultural community. I do not think I need trouble the House with any remarks on the regulations proposed in the Bill with regard to the movement of cattle within the metropolis, or on the provisions relating to the public exposure of diseased animals. Those provisions, I believe, we have now under the Orders in Council. I will pass over also the compensation clause. I will pass on, therefore, to the 43rd section, which has reference to the cleansing of trucks—

> "Every railway, canal, or other company that carries animals for hire within any part of Great Britain shall, after any animals have been taken out of, and before putting any other animals into, any pen, truck, or boat, cause the said pen, truck, or boat to be properly cleansed, and to be disinfected by a washing of lime-water, or by some other efficient means. Any company making default in so cleansing and disinfecting any pen, truck, or boat, shall be liable to a penalty not exceeding five pounds in respect of each such pen, truck, or boat."

On this subject I will read an extract from a letter which I received this morning from a gentleman residing in North Wales, near Holyhead. He says—

> "We at present are free from disease, but every day I see cattle trucks in a filthy state. I remonstrate with the railway company, but though they always promise to clean them, I never see a clean truck coming into the station."

And he goes on to say, "I believe we have no power to touch them." I maintain, however, that there ought to be Government officers whose duty it should be to insist on inspecting the trucks, and compelling them to be thoroughly and perfectly cleansed. Unless, however, you specify a certain space of time during which that cleansing shall take place, you cannot clean the trucks, because you cannot catch them. It was absolutely necessary to put a stop to the cattle trucks moving at all during a certain time. I have now, I am happy to say, gone through the clauses of the Bill which refer to the movement of cattle, the holding of markets and fairs, and the disinfection of trucks. At present I do not intend to touch upon the question of compensation, because that is a separate question, and one which I think ought to have been embodied in a separate Bill. If, however, it is retained in the present Bill, it can be discussed in Committee. I have gone into the subject of the Bill at great length, because I believe that hon. Members have had no sufficient opportunity of considering its provisions. Judging from the speech of the right hon. Gentleman, the House could hardly have been aware of the extent to which permissiveness was to run through the Bill. I think it a bad Bill—bad in form and bad in substance, and I may be asked, "Why do not you move its rejection upon the Order for the second reading?" I will tell you why. If this were a question which could wait, I would not have had one moment's hesitation in moving the rejection of the Bill, and I would even have done so if this had been the 14th of December, instead of the 14th of February. But I am fully alive to the danger of delay, and I dare not take upon myself the responsibility of delaying any Government Bill even for a single day. With that understanding I undertook to consent to the second reading of the Bill to-day, on the understanding that my own Bill should also be read a second time. But there would be another danger. Moving the rejection of the second reading of a Government Bill on important occasions is generally considered as a party Motion. What, then, would have been the consequence of moving the rejection of this Bill? The Government would say, as I am sorry to remark a portion of the liberal press has said already, that this question of the cattle plague had been seized upon by the Conservative party as a means of opposing the Government. Some of the hon. Gentlemen opposite might also think so, and give their support to the Government in order to prevent a Ministerial crisis. If the principle of the Government Bill were affirmed by a large majority we might get a bad principle affirmed in this Bill instead of a good one; and, on the other hand, if there were a majority against the Bill, the Government might say they must go out. What, I ask, would be the position of the cattle plague if there were the chaos which always exists during a Ministerial crisis? It must have been most detrimental to the national interests. We should have no one to guide us. The hon. Member for Birmingham (Mr. Bright) points over the way, but I do not know who may be Her Majesty's next advisers. Perhaps one of them may be the hon. Member for Birmingham himself. At all events there would be a Ministerial crisis for a few days, and I think it would be impossible to carry any measure relating to the cattle plague under those circumstances. I wish to deal frankly with the Government in regard to this question. I have no objection to tell them that I regard their tenure of office as a thing likely to be disadvantageous to the country. I have not been in the habit of opposing Government upon all questions. I have supported them at times when I thought they were right, and opposed them when I thought they were wrong. I have not been a very hot or eager partisan, but I confess that I acquiesce in their tenure of office much less willingly since the removal from among them by the hand of death of that noble Lord who, by his wise and moderate counsels, so long conducted the affairs of this House to the satisfaction of Members on both sides of it; and I tell right hon. Gentlemen opposite that I believe the loss they have sustained by the retirement of one of their number, who among all the Members of Lord Palmerston's late Government was the one least liable to pressure, with the exception of Lord Palmerston himself, (Sir Charles Wood), is far greater than they have as yet appreciated. And if, as rumour says, the right hon. Gentleman the Secretary of State for the Home Department (Sir George Grey) is likely soon to seek repose and rest from the cares of office, the Chancellor of the Exchequer will find that, notwithstanding the new hands on board, he will find increased difficulties in steering the Government boat through the troubled waters. But with these views, and while saying unreservedly that I should have no objection to see the displacement of the present Government, always supposing that a good and a strong Government could be put in its place, I could never consent to let a question of this sort become a party question. I shall never aid any attempt to use the question of the cattle plague as a means of displacing the Government; and, therefore, in taking the part which I have done in reference to this matter, my sole object has been to get such an Act of Parliament passed as may do something to check the spread of the cattle plague, without reference to political objects or party considerations. Under these circumstances, I would ask the House to consent to-day to the second reading of the Government Bill, bad as it is. I see the difficulty of dealing with it in Committee, and I am not aware of the course which the Government intend to adopt, but I think if they persevere with it only one course can be taken in Committee—namely, to postpone all the clauses up to the 21st, and to strike out all the clauses relating to the removal of cattle in order that more stringent provisions may be inserted. I would refer for a moment to a meeting which took place in the tea-room yesterday afternoon, and which was attended by Members of both Houses of Parliament, irrespective of the side of the House from which they came. Three resolutions were passed—the first two unanimously. These two resolutions were entirely in accordance with the Bill which I have laid on the table. They were to the effect that, for a limited period, the movement of cattle by railway or road should be entirely prohibited. The second proposed that movement on the high roads ought also to be prohibited by law, with certain statutory exceptions as to cattle moved short distances, under rigid regulations; the third was that the Government might declare certain districts free from disease, and permit cattle to be moved in such districts. The third resolution was passed in a hurried way, as the meeting was about to break up. [Sir GEORGE GREY: Hear, hear!] The first two resolutions were passed after due consideration and without hurry; the third was passed in the hurry of breaking up, and, though no hand was held up against it, it was not so much considered as the other two. That third resolution was an infringement of the principle of this Bill. That resolution allowed an exception in certain districts to the strict restrictions by road, but not by railway; but then it threw the responsibility on the Government. Now, I confess I do not like even this exception, but, if others think it absolutely necessary, I do not say that nothing would induce me to consent to it; but I would only consent to it on this condition, that the Government alone should declare the exception. I say also that the conditions under which the exceptional movement of cattle is to be permitted in such districts ought to be defined. Even then, however, it would be necessary for the Government to act with the greatest promptitude, as in the case of the Order issued for Ireland. It would not do to have a week's notice before orders could be drawn up, another week before they could appear in the *Gazette*, and another before they came into operation. If this power were left to Government the inspectors should have notice by telegraph, as was done in the first case, and at once proclaim the district. That Order, indeed, was so good that I cannot understand how it could have proceeded from the same Government which issued the other Orders. After the passing of the resolutions at the conference yesterday, I hope that the Government may be willing to modify their Bill, and I trust that some Member of the Government will give us some intimation to that effect. If not, I shall, when the Bill is in Committee, raise the issue of statutory prohibition or not.

MR. BRIGHT: Sir, I am really sorry for some of the observations made by the hon. Gentleman (Mr. Hunt), because, notwithstanding his disclaimer to-day, it appears to me that there was a good deal of party feeling mingled with the anxiety he evinces with regard to this distressing question. Now, I think nothing could more lower the estimate of the House of Commons in the eyes of everybody outside its walls than the mixing up of any political and party feeling with a question of this nature. I have read the Government Bill with some minuteness, and I have come to the conclusion—which is confirmed by what I heard fall from the hon. Gentleman on the former occasion and to-day—that the House is doing what is generally a very unwise thing—that is, about to legislate on a panic. There is hardly anything more common, and for myself I do not think anything is more absurd and pernicious, than a panic. The right hon. Gentleman the Home Secretary has, I think, been rather hustled in this matter, and I doubt whether he, and, still more, whether his Colleague the Chancellor of the Exchequer, entirely approve some portions of the Bill. We are now on the second reading, and though I shall mention one or two things which are matters of detail, yet they are at the same time matters that can only be discussed at this stage of the measure. On looking over the Bill, it appears to me to involve three things—first, an attempt at isolation, in which the hon. Gentleman (Mr. Hunt) thinks it does not go far enough; secondly, a general provision to slaughter cattle which are either attacked by the disease, or likely to be attacked, or suspected of being ill; and thirdly, the principle of compensation which is admitted—and admitted, I suspect, for the first time in the lifetime of any Member of this House, into any matter of this kind. Now, I agree to a very large extent with the hon. Gentleman opposite as to the necessity of a very rigid system of isolation. I think, however, that isolation cannot be carried out absolutely, because if it were attempted, so great would be the inconvenience and suffering, that it would probably be much worse than anything which could possibly arise from the cattle plague itself. But if isolation on farms could be carried out with great strictness, I do not see myself the necessity for an indiscriminate permission to slaughter. Now, according to this Bill, in every small district there would be what is called a "local authority." That local authority is not very accurately defined, but in every one of those districts, by the authority of the local powers, and by command of their inspectors, on every farm where there may be a single beast suffering from this malady, that beast must be killed, and, at the pleasure of the inspector or of his masters, the whole herd of cattle on the farm may be destroyed. Now, I think that the more the process or practice of isolation is adhered to, the less necessity can there be for a general and almost indiscriminate slaughter. We know, in fact, from our present experience, as far as it has gone, that in this country there is a percentage of diseased cattle which recover, and it is quite probable that as the disease runs its course in the country—and it is even now running its course—it will become tractable and more subject to curative efforts. That is observed, I believe, with regard to all complaints of cattle, and likewise to all complaints of the human family. Therefore, I say that this power of slaughtering indiscriminately is a power which it would not be wise to grant; but, coupled with compensation, it would be followed by a massacre of cattle altogether unnecessary, and when the figures are at a future time laid before Parliament they will, I think, be regarded with astonishment by those who have supported this Bill. Now, if you give this power of slaughter—first of all, that every beast that is ill shall be slaughtered, and every beast near it may be slaughtered—I do not think it likely that any farmer or owner of cattle would be disposed to try curative means of any kind—so that everything like experiment and everything like science, even patience and precautions and ordinary care and cleanliness, would be abandoned. The farmer would submit to fate—he would get one-half or three-quarters of the price of his cattle, and there would be a great cessation of the efforts to discover the nature of the disease, to cure it if it appeared, and to prevent its approach when it appears in the neighbourhood of any farm. Now, the compensation will necessarily have a very strong effect in that way; and I think that if compensation is to be conferred the sum proposed in the Bill is excessive. Nothing can be more monstrous than the notion that the public ought to be called upon to make up to private persons all losses in consequence of accident, or, as it is called in this case, of a visitation of Providence. We are introducing a principle which I do not think the Chancellor of the Exchequer will accept; but he is reconciled to it in this instance because it will not affect his Budget, though it will the taxation of the various counties. The hon. Member for Northamptonshire (Mr. Hunt) has referred to a great meeting held at Northampton some time ago. Now, I want to ask him a question which may excite disapprobation on the other side of the House. In the instructions issued in Ireland particular reference is made to the possibility of contagion being carried by dogs. I have no opinion myself on this matter. This question of contagion or infection seems absolutely mysterious to all of us, and I think a man would be a foolish man who would say positively that the disease may or may not be carried in some particular way. I said that according to the instructions for Ireland, "any local authority may make orders as to shutting up of dogs in any infected place, and as to their destruction if found coming out of the same;" and in the Bill of the right hon. Gentleman, the 22nd clause says—

> "Every local authority shall have power by order to prohibit altogether or to impose restrictions or conditions on the introduction into its district, and also on the removal from place to place within its district, first, of animals or any specified description thereof, excepting for a distance not exceeding 200 yards from part to part of the same farm."

Understand me, not to maintain that these poor curs are likely to be guilty; but, if this be a proper regulation, if it be necessary, I should like to ask the opinion of the hon. Member for Northamptonshire of a resolution passed at that large meeting in Northampton with regard to the possibility of the plague being spread by the practice of the sport of hunting. Bear in mind, this question of the cattle plague is a very serious one, or it has no right to be in this House at all; it is a very serious question, or no Member has a right, for a single moment, to dream of asking Government to impose these unbearable inconveniences upon the people, and the large expenditure which will fall upon somebody if the Bill passes. If it be so serious a matter, and if these humble curs are suspected, and are to be shut up in infected places, for fear they should carry the disease, I put it to the country gentlemen, who have so powerful a representation in this House, whether they will stand well with the owners of cattle, the great body of the tenant farmers of this country, if the sport of foxhunting be pursued during the next month, when this Bill is to come into operation, seeing that the matter appears to have assumed so great a gravity? I said I would not give any opinion of my own on this point, because I have not any; but I have seen in several newspapers—in Liverpool papers—letters written from the county of Chester, complaining of this matter. The Northampton meeting, at which the hon. Member for the county was in the chair, and at which I am told 2,000 persons were present—[An hon. MEMBER: No—only 500.] I am sorry that more interest was not displayed, but I was told that the room would hold 2,000 and that it was filled—that meeting passed a resolution upon this very subject; and yet any gentleman may see in a newspaper published in that town notices of the meeting of no fewer than fifteen packs of hounds that were to run in one week, a total of between sixty and seventy times. They would course over 10,000 to 20,000—Oh! far more—acres in that county; and if this disease be so subtle, if it can be carried by almost everything that flies and everything that creeps, why should it not be carried by something that runs. A Northamptonshire clergyman who lives in the midst of the Pytchley Hunt, says in a letter—

> "The inspector of my district told me distinctly, a week or two ago, not only that in his own opinion (that of a graduate of the Veterinary College) foxhunting might, but that it had, in some instances, introduced the murrain from infected into healthy districts. I met, on my return from Northampton, on Saturday last, a farmer whose brother, living in our neighbourhood, had recently lost some cattle from the plague. I inquired how he thought it had been introduced, and his reply was that his only way of accounting for its appearance was that it had been brought into his farm by the foxhounds which crossed his fields about a week before."

Now, I repeat, I have no opinion upon this matter—I cannot say anything about it as to whether it is so or not; but I say, if that be possible, is it conceivable there is any gentleman in England who would consider it necessary to continue—what, after all, is not an essential of life—sport during the short time the season will last, if it be possible any harm can happen to the farmers of England from this cause? I shall say no more about that, because it is not a subject I am very well qualified to discuss, beyond what I have said with regard to it, except to maintain that if there be anything any of us can give up, the giving up of which would tend to lessen or remove a calamity which must reduce many hundreds of farmers, probably, to poverty, we ought to give that up with the greatest possible pleasure. I want to say one word on the question of compensation, which is rather an important part of this measure. I said before that I think the effect of it will be to cause a great amount of slaughtering of cattle which, under the system of isolation which the Bill intends, would not be necessary, and would really be pernicious and a grievous loss; but I should like to ask, why is compensation to be given by means of an Act of Parliament, and a public rate? I do not think the Chancellor of the Exchequer himself would be able to give a good reason for the proposals in this Bill. Now, I can understand that if the landowners and farmers had no interest in what is called the "stamping out" of this disease by the slaughtering of cattle, and if it was simply done in the interest of the public, that then there might be some claim upon the public in some cases for compensation. But, bear in mind, all the demand made to the Government in favour of this excessive, and, as I think, almost senseless slaughtering has been made by the country gentlemen and the farmers whom they represent. If ten beasts be slaughtered on one farm to save ninety on the same farm, and presuming that if Government did not order the slaughtering, the farmer himself would think it necessary, I do not see why the farmer or landowner should come to Parliament for compensation. Now, I maintain, as far as I know, as far as my memory goes, as far as my reading of late years has gone, that this is a new principle which is introduced in this Bill. There are many classes of persons who will suffer. There is the rich man, for example—I have heard of one in this House—I could mention his name, but it is not necessary I should do so —who has lost 150 or 200 head of cattle. Well, that will be an expense to him of £2,000, £3,000, or £4,000, according to their value. But he may be a man who has an income of £15,000 a year. Is it proposed to go to all the towns and villages, to all the non-agricultural and non-landowning classes, and to collect rates from them to compensate this rich man for his loss? The loss which this man has suffered, is only the same kind of loss which periodically visits almost every other industry in the country. Why, there was an hon. Gentleman sitting near me the other night when this Bill was being discussed who, I know, lost in one winter £40,000 by shipwrecks. He had taken his own risk for twenty years, and he had found it answer; in one winter —a winter like this through which we are passing—£40,000 of his property went down; but there was no proposition of compensation from Parliament. Take the position of Lancashire during the last four years. The sufferings of that county—I am not speaking of the poorest people and of the workmen, but of the spinners and manufacturers, the owners and the occupiers of mills—have been great, far beyond anything the public have any conception of; but there has not been a single farthing either of taxes or of compensation in any shape given to those persons. I do not forget that a magnificent subscription was made for those of the sufferers whose daily bread was taken away. In this case, what I would have suggested would have been this—that, with regard to all those small farmers with very little capital, or those nearly the whole of whose capital was invested in their stock, there should have been some great public effort made in order that they might not be ruined; and I would rather give five times as much in a subscription to a fund to relieve those humble and much suffering people, than I would pay anything to a county rate to compensate rich men in this House or out of it. I will not state it unfairly—to whom this calamity, grievous as it is, comes in the shape of a bad debt, or of a shipwreck, or of a cotton famine such as we have passed through in Lancashire. Now, we are on the principle of this Bill, and I am on the particular question of compensation. I ask hon. Gentlemen opposite what will be the effect on the farmers themselves of giving this compensation out of the taxes? I believe it will have an effect that will be most unfortunate and pernicious. I should like to read to the House an extract from a letter I received yesterday from a grazing farmer in Scotland, who farms extensively under a Member of the other House of Parliament. There is one passage in which he agrees with me entirely, that if you have rigid isolation you need not have the compulsory slaughter. He goes on—

> "I look upon it that the House of Commons will consider this visitation as a loss in stock in trade of a class, and that such measures as they pass are for the ultimate benefit of that class, and that any losses sustained from those measures must be paid by the class interested and not from taxation or rates."

Bear in mind that this is an extensive cattle-owner in Scotland, and he continues—

> "The loss is a farmer's loss, generally speaking, and cannot be paid out of the public purse any more than an unusual series of disasters at sea could be paid to the shipping interest. I consider that the tenantry have it in their power to help themselves, and were they to help themselves, and were they to unite in forming a general system of epidemic stock insurance, they would be able to meet losses and secure themselves as effectively as shipowners now do through their underwriters."

If this system of paying out of taxes be established, you will probably put an end in future to all kinds of providence on the part of farmers. They will feel that they can come to this House in case of any calamity of this kind, and they will have less inducement than ever before to establish and to support insurance societies. The farmer I have quoted continues—

> "I venture to hope that you will use your influence to prevent the House of Commons from agreeing to recompense in any way the loss that may arise from measures passed to arrest the progress of the rinderpest. I do so under the thorough conviction that such losses are in many cases quite unnecessary, particularly where slaughtering is resorted to, and that as the class who lose could cover their losses by adopting such precautionary measures as are practised in other trades, you will confer a benefit upon us by making it a virtual necessity our mutually providing against loss by insurance, which will only be done when we find we can get no assistance elsewhere."

That is the argument advanced in the letter of a respectable tenant farmer, an owner of stock, who himself may be visited by the calamity which has now traversed certain parts of the country. Now, I have been told—I do not give it on mean authority—I have been told on fair authority, that the disease during the last twelve months has not killed more cattle in the country than died from the lung disease in the year 1860. Any gentleman who likes may contradict that statement; I have no figures that will positively prove it; I understand it has been asserted by those who have paid great attention to the question. I want to ask hon. Gentlemen opposite if some of them do not now regret that in past times they had not joined with us in promoting a Bill by which we could have had correct agricultural statistics returned to Parliament. I have received a letter from a farmers' club in one of the midland counties, urging me strongly to press upon the House the necessity of obtaining agricultural statistics. If you had had those statistics, if you knew the mortality among cattle from the lung disease in 1860, you would have had not only evidence of the necessity of insurance, but the facts and figures upon which a safe cattle insurance company could be based. As it is, you have no figures, you have shut your eyes to the facts, you have not permitted us to gather them. The farmers throughout the country have objected to inquiry into their business and into their stock; therefore, no person wishing to establish a cattle insurance company has understood the facts on which a table could be framed: and for that reason the cattle insurance societies have been feeble, and I daresay they find themselves unable to cope with this enormous mischief which is now spreading throughout the country. I have risen on the second reading to put these two or three opinions before the House. First of all, I agree very much in the necessity, so far as the farmers are concerned, of a rigid isolation. I disagree entirely with the proposals of the Bill that this wide and indiscriminate slaughter should be left to the authorities in these different districts. I believe that the effect of giving this compensation will be that the slaughter will be unnecessary and monstrous in amount; and I contend that it is contrary to every principle on which Parliament has acted on past occasions of public suffering to vote money out of the taxes to remedy a misfortune of this kind, and that it is a grievance of which every taxpayer will have to complain, if his taxes should be taken to pay compensation to well-to-do farmers and rich landowners who may suffer from this affliction. I believe that if that system be carried out, it will lead to greater improvidence on the part of the farmers even than that which has existed in past times. They will fancy that they are an order and a class in the community which has special claims upon this House—an opinion which they held twenty years ago, and which was destructive of their independence and energy. I say that it would be unfortunate to promote such an opinion among them now, and that we ought to strike out of this Bill the power of slaughtering and the power of collecting taxes to compensate the rich man. I should be ashamed if I were a man, whether a tenant farmer or a landowner, having property left after that which the scourge had taken, to go to the humble ratepayers of towns and villages, who have no special class interest in this matter, and to ask them from their pockets to make up the loss in my trade. I put this to the House; and I hope hon. Gentlemen opposite, instead of being panic stricken, will be content with the system of isolation; will believe, as I believe, that this scourge, like all other scourges of this nature, whether they attach to our own species or they attach to what we are pleased to call in our dignity the inferior animals—that scourges of this kind have their course and their time, and they run their course, and no power of man hitherto has been able to obstruct it. I am told you have 1,500 townships or parishes in which this disease has been or now is to be found. I do not believe that, with this extent, anything this House can do by legislation can prevent it running its course. I would not, by false legislation, add to the slaughter which may be necessary; and I would never let it be said hereafter that the landowners and rich farmers of England, suffering a loss which is not greater to them than that which befalls many other classes of their countrymen, came to Parliament to ask Parliament to legislate that the losses of their special trade might be paid out of the taxation of their country.

Colonel LOYD LINDSAY said, there were two Bills before the House, one went to the extent of positively prohibiting any removal of cattle, while the other admitted the desirability of cattle being removed under certain circumstances by licence, the latter Bill to which he referred, and which had been introduced by the right hon. Baronet the Home Secretary, was the one which would receive the sanction of the country. He believed that the system of licences was a proper system to adopt, as it was very important that the country should go along with this Bill. Now if the regulations were too stringent they would be inoperative, and to show that, he would instance what had occurred in his own county. He was one of a committee of Berkshire magistrates who, on the issuing of the first Order in Council on this subject, were appointed to advise the court of quarter sessions. The first thing they did was to pass stringent regulations with regard to the movement of cattle; but in quarter sessions the whole power of the committee was hardly able to carry the measure, which passed only on an assurance being given that it should remain in force only three weeks, and that then its stringency should be relaxed. Still further relaxations were promised on the 1st of March, as it was represented to the committee that their stringent regulations could not be enforced, and had been and would be still more infringed. He did not dispute what the hon. Member for Northamptonshire (Mr. Hunt) had said as to the system of licensing being impaired by the carelessness of magistrates who would sign anything put before them which had been signed by anybody else; but if educated gentlemen were apt to sign papers too readily, what might be expected of a constable receiving 15*s*. a week, whom a bribe of 10*s*. would induce to pass cattle over the land without further protest? If regulations were too stringent, they would be broken in every way, and however careless magistrates might be in attaching their signatures, they would be still more careless in enforcing penalties for breach of regulations which they might consider too severe. The Bill of the hon. Member for Northamptonshire would be canvassed in every homestead in the kingdom, with this inevitable result—that it would be said to be unworkable because too stringent. On the large dairy farms of Berkshire, which were bound by contract to supply all their milk to London and other large markets, when calves were dropped they must be either sold or have their throats cut. A calf was of no great value, and it might be sold for a few shillings, or if it was slaughtered it was made into sausages and there was an end of it. If it lived twelve months it was valuable. If then they killed the calves on the large dairy farms, next year when we looked out for our yearlings, we should find we were without them. If they passed the more stringent measures they would find that they had been burning their candle at both ends—they would slaughter their calves on the one hand, and lose their cattle by the rinderpest on the other, until they had none left. The House was not aware of the difficulties that would have to be encountered by passing so stringent a measure as that of the hon. Member for Northamptonshire. The Bill of the right hon. Baronet, however, contained provisions that might be useful and that would be thankfully received and adopted by the country. Certain Resolutions which had been adopted at a meeting of Members of the House held in a part of that building on Tuesday seemed to him to be hasty and ill-considered. On the first Resolution, relative to the removal of cattle by railway, he would make no remark. On the second, to the effect that the movement of cattle on the highways ought to be prohibited by law, except for short distances, under certain regulations, he would merely say that in his opinion it would be better to allow them to be removed any distance with a licence than short distances without one. The last Resolution was that Government ought to have the power to declare certain districts free from infection, and allow cattle to be moved from one place to another by the highways in such districts. This seemed to him a dangerous measure, because if this mysterious and insidious disease broke out in such a proclaimed district, as it might do without any contact being traced, the farmer would naturally be at once desirous to get rid of his beasts, there would be no power to let or hinder him, thus this very district proclaimed to be free might be the very means of disseminating the disease over a county hitherto free. These Resolutions, carried by hon. Members, must have been framed in rather too hasty a manner. Those anxious to carry stringent regulations had paid more attention to oratorical display at meetings and by deputations than to the sober sense of their constituents; for he believed that if a Bill were carried absolutely preventing any movement of cattle it would be received with consternation throughout the country. That consternation, however, would very soon lead to this reflection—that as it would be impossible to carry out the provisions of the measure consolation must be found in the possibility of breaking them. It was some time before he could understand that when the hon. Member for Birmingham spoke of "humble curs" he was alluding to foxhounds. The hon. Member transgressed the Rules of the House by speaking of what he did not quite understand; and, eloquent as he was, he placed himself in an awkward position by talking of what he did not fully comprehend. The hon. Member said that the farmers wished foxhunting to be stopped. He saw the late Master of the Pytchley Hunt under the Gallery, and he would appeal to him whether it was not the fact that, if the farmers were to declare their wish, the hounds should be at once stopped, and the country gentlemen would at once give way. He was quite satisfied they would not stand out for an instant; but he was not aware that the farmers had ever said a word about it. They were quite aware that the plague might be carried by a fly or by a bird, or in a thousand ways, but foxhounds did not carry it. Foxhounds did not hang about farm houses, and run at will about the country, but were taken to their kennels every night and locked up, and kept under proper regulations. When the hon. Member for Birmingham spoke about the losses by the cattle plague not equalling those from the foot and mouth disease —[Several hon. MEMBERS: The lung disease]—he again spoke without book. He felt great reluctance to record his vote against and speak in contradiction of Members with whom he hoped frequently to act, but he felt the strongest interest in the matter, and he was encouraged to address the House by the remark of the hon. Member for Northamptonshire that he disclamed all party feeling on the subject. It was not a party question; it was one upon which all were entitled to express their opinions with the view of assisting the Government to carry a measure introduced with patriotic motives. He felt, therefore, bound to support the Government in attempting to carry a measure which he believed would be acceptable to the country, and which was introduced in so conciliatory a manner by the right hon. Gentleman.

MR. LOWE: Sir, the speech of the hon. Member for Birmingham is a specimen of a manufacture with which we are all, unhappily, and through his own agency, too familiar—the manufacture of grievances. The hon. Gentleman has just depicted to us, in the most graphic manner, a crowd of aristocrats, sweeping over the country with their dogs and horses, and spreading infection far and wide among the flocks and homesteads. Nay, so inveterate is his habit of setting one class against another, that he does not confine himself to the human race in these things, but he ventures to include those animals of which he thinks either that they are up to the level of the human race, or that the human race has descended in this respect occasionally to the level of them—I do not know which; but he actually tries to get up a schism, and a fight, for all I can say —between the "humble cur" and the aristocratic foxhound. But let that pass. I wish that was all the hon. Gentleman had done in this department; but he has gone further, and he has discussed the provisions of this Bill with reference to compensation, as if they were a demand on the part of the rich members of this community, and, above all, of Members of this House, that they should be indemnified from losses which this great calamity brings upon them at the expense of their poorer neighbours. Now, Sir, that is, I say, a specimen of the manner in which grievances are got up. Misrepresent the facts wholly; assume motives and objects that do not exist; take out of the extreme of one class only the persons benefited, and out of the extreme of another only those injured; and you have a receipt for converting the best and wisest institutions of the country into so many intolerable grievances. Do not take that on my authority; what is the fact? Is it proposed in this Bill, or has it ever been proposed by anybody, to compensate losses merely as such? Is it not known to every Gentleman that the object of this Bill is not to compensate for what persons have lost, but for what they have lost by the direct agency of the Government, in taking possession of and destroying their property for the public good, and for the public good alone? Is that a new principle? If it is necessary to destroy houses to fortify a town, or to destroy any other property for a public purpose, there is no civilized Government in the world that does not compensate the person whose property is taken; and why are we to be considered as doing anything wrong and invidious when we apply this principle to the present calamity? Let us go further. It is assumed that the object is to reimburse and to compensate the farmer. That is not, as I understand it, the object. The effect of this Bill may be to indemnify the farmer against part of his losses; but the object is not indemnification; it is a very different one. It is well known to all who have studied this question that the farmer has no inducement to make known the presence of the disease: he will conceal it; he will send his cattle, tainted very probably with the disease, to other places to get rid of them; and thus the disease is diffused. The first condition to dealing efficiently with the disease in any way is that its presence should be known, and the only way of making it known is to give those who are first aware of its existence an interest in disclosing the fact. This is the object of compensation; it is that the farmer should feel that he will be indemnified, to some degree, at the public expense, if he will only do the public a service by making known the existence of the cattle disease so as to enable proper precautions to be taken. The hon. Member complained that this difficulty had not been met by insurance. But the hon. Gentleman has answered himself. He has himself shown that, owing to the absence of agricultural statistics, we have not the means of calculating an average; that it is impossible to ascertain any definite proportion of risk, and without that you cannot have a system of insurance upon commercial principles. Since then it is very requisite and advisable, if there is to be slaughter of cattle, to have some system or other of compensation—that question of compensation divides itself into two parts — retrospective and prospective. I do not intend to go into the first of these points further than to say, that it seems very doubtful now whether the slaughter that has taken place has been done under legal authority. Not that I object to it. It seems to me to have been very properly done by the Government. It was, however, a stretch of authority; and when that is the case, I think there arises a good claim for compensation. But I do not think that compensation ought to be made a part of the burden imposed by this Bill upon the county rates. It seems to me that the Government has ventured to take that step without consulting any of the local authorities whatever. In my opinion, it is out of the funds of the entire country that compensation ought to come. But I will not dwell on this point. I mention it now for the purpose of suggesting to my right hon. Friend that he should withdraw the 18th clause of the Bill and adjourn the consideration of it to another time. As to the question of compensation for the future, I cordially approve the principle contained in the Bill. I come next to the second point in the Government Bill—that is the question of slaughter, and in that respect it seems to me that the Government have taken a wise course. They have made the slaughter of diseased animals compulsory, and the slaughter of animals not known to be diseased optional with the local authorities. That seems to me to be quite right. The hon. Member for Birmingham has spoken of this as an inducement to indiscriminate slaughter. But will there be any such inducement when the persons who give the order know that they will have to pay for every animal that is slaughtered by their authority? A precaution is thus taken against rash action. It appears to me, Sir, that the mode proposed by the Government is a wise way of dealing with the subject. The third part of the Bill is that which deals with the movement of cattle; and I earnestly press upon my right hon. Friend to re-consider this part of his Bill by the light of the resolutions come to yesterday. It was stated at the meeting on behalf of two great railway companies that it was time to prevent the movement of cattle by rail, and that it was impossible to prevent the risk of contagion unless a stop was put to it. I am quite certain from all I have been able to learn that that is one way, and a very common way, by which the infection is propagated. The matter which spreads the contagion, according to the opinions laid before the Cattle Plague Commission, is not supposed to be anything in the nature of a gas, but is propagated by very minute molecules which float in the air. These are capable of being carried by the wind and dropped here and there and picked up again. Well, apply that to the railway. Imagine an animal forced twenty miles an hour through the air, and imagine how much of these small molecules it is necessary should be discharged from the animal's body on the land on either side of the railway. I do hope, therefore, that the recommendation of yesterday's meeting on this point will meet with the favourable consideration of Government. The other resolution I also submit most earnestly to their consideration. As to the provisions of the Government Bill on this subject, we shall be placed in this position. The local authorities have made regulations varying much from each other, and infinitely troublesome and perplexing. Nobody can pretend to say he understands them all. A man may understand those which apply to his own neighbourhood, but nobody understands any portion except what relates to the place where he happens to reside. These regulations drop on the 1st of March, and if this Bill stands in its present form the local authorities will have to go to work to manufacture a new set of regulations while the Bill is only calculated to last for six weeks. The result will be that this Bill will be like many excellent people in this world—it will die before it is understood. I would entreat, then, the right hon. Gentleman to obviate this difficulty, and the only way to do so is to do what was suggested yesterday on the part of the meeting—to prevent by the Bill the movement of cattle, introducing such exceptions as this House in its wisdom may approve, so that the people may know—what it is the greatest possible benefit to know—the laws by which they are to be governed. I will now offer a few remarks with regard to the Bill itself. It seems to me, on the whole, that this Bill has been framed with very great care, and I think, without doubt, the House will do wisely in reading it a second time, and making it the basis of effective legislation. The hon. Member for Northamptonshire (Mr. Hunt) seemed to fear that he could not introduce such changes as he desires. I am not struck in that way. The first 17 clauses, giving definitions and appointing local authorities, may, I think, pass without discussion, for the hon. Member must bear in mind that we must have local authorities of some kind, and therefore the clauses creating those authorities are a necessary part of any Bill on this subject. The 18th clause, which deals with retrospective compensation, I hope the Government may be prevailed on to withdraw. It must be remembered that it is one which it will take a great deal of time to discuss. Clauses 19 and 20 are with regard to infected districts. They are not of any great consequence. But from 20 to 25 are the clauses to which I have alluded, regulating the movement of cattle; and these clauses which give the whole power to the local authorities, I do hope the Government may be prevailed upon to re-consider, and to allow instead of them one simple clause framed on the basis of the two resolutions which were passed yesterday. I hope, also, that they will not give to the local authorities power to open fairs and markets. What happens in the country? I have been informed that in Sussex a new cattle market was opened last week, and in a very short time we may be sure that this example will be followed in other places. We must make the most of the Bill we can; but if we mean to introduce exceptions of this kind we might as well throw the Bill into the fire. Therefore, I hope the Government will re-consider that point, and that they will also re-consider the question of putting a second rate on cattle. It has been forcibly argued that the whole of the charge ought not to be borne by the counties. There is, no doubt, so great an advantage in having the same body to manage the slaughter of animals and the suppression of the disease, and also to pay for those measures, that it seems to me to overbalance any other consideration. But I think the stockowners have suffered, and are likely to suffer, too much to put this burden upon them. We all know that the stockowners are only put in the front of the battle. The frightful loss falls upon them first, but it will visit all in time. I think it would be a miserable and unhappy feeling if we were to insist that, because the first brunt of the evil falls upon them, they should be made liable to another burden from which the rest of the community are free. There is one other subject to which I wish to advert. I hope that no provision will be introduced into this Bill with respect to the slaughter of cattle which would render it impossible to stop that slaughter if such a stoppage should at any moment be found desirable. I am almost ashamed to allude to the possibility of a remedy for the disease after the many disappointments we have already had to encounter; but it would really appear as if Mr. Worms had hit upon something which may turn out a remedy. If some cure should at any time be discovered it would be most absurd and most unfortunate that we should still be compelled to slaughter our cattle in compliance with the Act; and I hope that a power will be reserved of discontinuing its operation in the event of its being no longer found necessary. I have only to say, in conclusion, that the Bill must impose upon every person in this country very great and heavy sacrifices, and in this House we are called upon for the special sacrifice of immolating on the altar of our country our desire to insist on the enforcement of our individual opinions. I think we ought to accept the general conclusions at which the Government have arrived upon this subject—to take all but the very largest principles on their responsibility—and I trust that we shall be able to pass the measure rapidly through Committee.

Mr. J. STUART MILL said, that in the course of the discussion on the Bill many important points had been raised, respecting some of which he was not in a position to form an opinion; and that being the case, he thought it better that he should leave all other topics to Her Majesty's Government, who had the best means of information, and who were responsible for the failure or success of the measures they might introduce. There was one question, however, which it required no agricultural or special knowledge to understand—that of compensation—it was a purely economical question, and upon this part of the Bill alone he thought himself competent to speak. This question had been raised by his hon. Friend the Member for Birmingham, and as his hon. Friend had been rather severely dealt with by the right hon. Gentleman behind him (Mr. Lowe), he thought that any one who shared the sentiments of his hon. Friend would be acting unworthily if he did not stand forward and avow them. He did not object to the principle of compensation, but he did object, in the highest degree, to the amount proposed in the Bill, and to the manner in which it was proposed to be provided. It was perfectly true, as his right hon. Friend (Mr. Lowe) had pointed out, that the farmers were to receive compensation, not for their losses as such, but for what they lost through the interference of the Government. He (Mr. J. S. Mill) quite agreed that there could not be a more just claim for compensation than this; and, moreover, the grant of it was expedient on account of the inducement it would give not to evade the provisions of the Act. He quite adopted the conclusion of his right hon. Friend, that the farmers who might be the owners of diseased cattle ought not to be placed under the temptation of concealing the fact. But, on the other hand, the more reason there was for granting compensation, the more necessity was there for taking care that the compensation should not be excessive. If, on the one hand, the owner were not to be compensated at all for his loss, there was a strong inducement for him to do, what it was the very object of this Bill to prevent him from doing—namely, to keep the infected animals as long as possible, and thus to be the means of propagating the infection. If, on the other hand, the compensation were excessive, an inducement would exist to be careless as to the spread of the disease; because if his animals on becoming infected were ordered to be slaughtered, he knew that he should get an exaggerated compensation for them. The compensation provided by the Bill for diseased animals slaughtered was two-thirds of the value, when that sum did not exceed £20. But what were the necessary conditions to render that sum a just compensation? It was that the animal should have two chances out of three of surviving, because if it had a less chance of recovery than this, the owner would be an absolute gainer by the compensation he would receive on its slaughter by authority. The value of an animal in the market was its value in its existing condition; unless, therefore, the marketable value of an animal after infection was two-thirds of its value when healthy, the compensation proposed by the Bill was excessive. Whatever the chances were of the animal's surviving, that would be the measure of compensation which a reasonable person would propose. He came now to another question—in what manner, and at whose expense, the funds for compensation ought to be raised. In order to judge of that, they ought to consider what would be the natural working of economical laws, supposing no compensation were granted at all. If, setting aside merely momentary effects, they took into consideration the ultimate, and indeed speedy, result, there could be no doubt that in whatever proportion the supply of cattle was diminished, in that proportion the price would be enhanced; and, therefore, in the end, the whole burden of the loss would be borne, not by the producer, but the consumer. Farmers and landlords would indeed suffer, but only to the same extent as other members of the community—that is to say, as consumers. As far as it was the whole community which suffered, no class of the community, as a class, had the smallest claim to compensation from the rest. Some, indeed, were less able to bear the loss than others, and it would not have been surprising if a proposal had been made to compensate them; but now, on the contrary, it was proposed to tax them, in order to compensate those who were able to bear the loss much better. It appeared to him that the farmers as a class had no claim whatever to compensation, and the only reason for granting compensation at all was, not that the loss fell peculiarly upon the agricultural interest, but because it fell upon that interest with such extreme inequality. He apprehended that in real justice the compensation ought to be paid to the less fortunate by the more fortunate of the class: thus establishing what would be equivalent to a compulsory system of mutual insurance amongst the owners of stock. This Bill did the very contrary—though he did not blame the Government for introducing it, considering the way in which the House was constituted. It compensated a class for the results of a calamity which was borne by the whole community. In justice, the farmers who had not suffered ought to compensate those who had; but the Bill did what it ought not to have done, and it left undone that which it ought to have done, by not equalizing the incidence of the burden upon that class, inasmuch as, from the operation of the local principle adopted, that portion of the agricultural community who had not suffered at all would not have to pay at all, those who suffered little would have to pay little, while those who suffered most would have to pay a great deal. The only argument of any validity which he could anticipate against the opinion he had expressed, was that a portion of our cattle supply is not derived from home production, but from importation; and, as far as that portion was concerned, the compensation which the consumer would pay through the enhanced price of the commodity would not be received by our own agriculturists, but by the importers. This he must admit; but the importation of cattle, though considerable and increasing, bore so very small a proportion to the entire consumption, that it would diminish the indemnity reaped by the home producers only to a very small extent; and this being the case, it would be unworthy of the landed interest to lay any stress upon so small a matter. An aristocracy should have the feelings of an aristocracy, and inasmuch as they enjoyed the highest honours and advantages, they ought to be willing to bear the first brunt of the inconveniences and evils which fell on the country generally. This was the ideal character of an aristocracy; it was the character with which all privileged classes were accustomed to credit themselves; though he was not aware of any aristocracy in history that had fulfilled those requirements. It might also be said that the farmers would derive no benefit from the ultimate high price, because one of the effects of the cattle plague was by making them bring their cattle prematurely to market, temporarily to keep down the price. This, no doubt, was the case, but after the grant of compensation, it would no longer be so, since the inducement to hurry cattle to market would then no longer exist.

Viscount CRANBOURNE: This debate, Sir, has wandered over a wide range. We have indulged in disquisitions on the merits of foxhounds, and we have gone into the question whether the hon. Member for Birmingham can consider himself superior or inferior to the cows which are perishing. I am too polite to question the estimate of his own claims by the hon. Gentleman, and therefore I will turn to the speech of the hon. Member who has last spoken. The hon. Member for Westminster (Mr. J. S. Mill) has read the history of aristocracies, but he says that he is not aware of any which is conformable to the ideal aristocracy which he has conceived. I would ask the hon. Gentleman whether his idea of an aristocracy involves their paying the debts of the other classes of the community. My impression is that this is rather a pressing emergency, and that we had better devote ourselves to the question of the cattle plague and leave the question of aristocracies to a future time. The hon. Member for Westminster addressed himself to some important practical questions, and particularly to the question of compensation. Now, it appears to me that, with all his undoubted power of reasoning, he rather mistook the object of the Bill of the Government, and indeed of any Bill that might be proposed on the subject. One of his grounds of objection was that the compensation proposed would be an inducement to the farmer to slaughter his cattle. But the farmer is not asked to slaughter his cattle; the power to slaughter is placed in the hands of the local authorities and the inspectors appointed by them; and the local authorities have a direct interest to keep the slaughter at the lowest possible point, because they will have to pay for their dead. Therefore, instead of stimulating the slaughter of cattle by appealing to the cupidity of the farmer, we really restrain the slaughter by appealing to the economy of the local authorities. Again, the hon. Gentleman seemed to look at the question of compensation in what I venture to say is not a thoroughly practical light. He seemed to treat it as if he were one of a jury appointed to assess compensation in a case of accident. But the point for the House of Commons to consider is whether there is a great public object to be served, whether a great public benefit will be attained, if that compensation be paid.

Now, Sir, I confess that it appears to me a narrow view to treat this as a question affecting merely the agricultural interest. I believe if it had been we should not have had so much of it in this House. We have had many questions of the interests of the country before now, which have received the special consideration of Parliament. When the interests of Ireland called for the granting national aid, the House came to their support; and when the cotton interest was in difficulties, we very justly enabled the distressed population to seek relief in great part from the agricultural parishes to which they belonged. No one complained of injustice in those instances; it was felt that great interests were at stake, and that we ought not to look too closely into any relief which we could afford. But I assert that these arguments and considerations do not arise in the present case. It is not a case for the agriculturists, but for the whole country. The hon. Member for Westminster justly said, that if this disease went on at its present or an increase ratio the price of meat would rise; but have you at all measured the height to which it may rise? The other day I was in Belgium, and I there discussed the question with some Members of the Legislative Assembly of that country. They told me, I am happy to say, that hitherto the pressure has not been too severely felt; but they added that the demands from England were becoming so great, and the pressure on their own working classes was becoming so keen, that the idea had been seriously entertained by more than one Continental Government checking, or even of prohibiting altogether the export of cattle. Now, it is well known that, though the Continental Governments may treat the interests of some classes very cavalierly, they look most attentively to the wants of their own working population. If they see anything like famine, and apprehend those disturbances which are there the result of famine, they will not be deterred by any scruple from adopting any measures they may think necessary. If it should come to pass that the enormous slaughter or death of cattle in this country should so tax the resources of Continental nations as materially to raise the price of meat, you may depend upon it that the export of cattle will be checked, and it is then you will find what the cattle plague really means. We were told the other night by the Secretary of State that the working man will have beef; but if there is no beef for him to have, if Continental Governments prevent him from having access to the supplies, I want you to consider how far the interests and the tranquillity of this country may not be compromised by the neglect which you are now invited to approve. It is on the ground that any neglect on your part will assuredly strike the consumer quite as much as it will the producer that I ask you to regard the question of compensation, not as an agricultural, but as a national question. Now, I would like to pass a few remarks on the Government Bill. I quite agree with the right hon. Member for Calne (Mr. Lowe) that we ought not to look too narrowly into details, but apply ourselves to principles; and I am disposed to adopt the view of the hon. Member for North Lincolnshire on the first night of the Session, that there has been sufficient criticizm for the past. I will not therefore go into the consideration of what the Government has or has not done. But I cannot help looking upon this Bill, not as the fruit of the mature deliberation of the whole recess, but rather as a flash of genius—a bright idea—which has swept across the mind of the Home Secretary within the last few days. The period of an inspiration is always difficult to fix, but, if I said Saturday evening last or Monday morning, I do not think I should be far wrong. I am ready to give credit for the best intentions, and for the utmost sincerity, but the Bill bears strong marks of inevitable haste, which is always a defect even in the greatest writers of genius. My objection is one of principle—I indicated it the other night with great accuracy when I referred to the jurisdiction exercised by the local authorities. The right hon. Gentleman has paid what seems to me an ill-timed respect to the jurisdiction of the local authorities. If the Bill merely concerned counties, there would be a great deal to say against it; but, at least, it would be dealing with large geographical districts, and, to a certain extent, it might be defended on the ground that large districts might be left to large local authorities. But in this Bill "local authorities" means the mayor and corporation of a borough or petty town that possesses them, who are to have undisputed jurisdiction over the traffic in their own district, so as to stop it or not as they think fit. Now, I want you to consider how the Bill will work with respect to counties if this jurisdiction is left to petty boroughs. According to the Bill any animals may be sent to the boroughs with a licence from the mayor; and when there they have unlimited power to go out again, unless either the local authority declares the borough an infected district, or unless they cannot obtain from the inspector appointed by the local authorities power to go out. Now, there is not the least probability that the borough authorities will be forward to declare their borough an infected district, and they have no inducement to do so. A large number of their population live on the trade in meat, and much of that trade would be stopped if no ingress or egress were permitted. It is quite true that markets for store cattle are prohibited, and markets for fat cattle in the boroughs which are declared to be infected. But egress and ingress are not prohibited unless the borough is declared to be an infected district. Now, what will be the effect? Take an instance from a county of which I know nothing—the county of Kent. Take Maidstone, Rochester, and Canterbury—they form a triangle, and are connected with each other by a railway; and unless the local authorities declare them infected, it will be competent under this Bill for persons to send cattle from borough to borough along the railways; there will be nothing to prevent them, they will have only to obtain the licence from the local authorities, and as the latter have no interest in stopping them, the licence will be easily obtained. Now, consider the condition of the country districts which lie within that triangle. They are defending a besieged fortress; they are keeping out the rinderpest by every means in their power, and you are giving them a frontier which would tax an empire to defend. Remember, it is not only the rinderpest you have to cope with—that would be bad enough, with its thousand centres of infection, and the lines of railway—but you have to deal with the human friends of the rinderpest; you have to resist what will inevitably arise, a gigantic system of smuggling on the part of abandoned persons, whose object will be to evade and defeat your legislation by every means in their power. Your object is to frame a Bill which will defeat their object. Now, it so happens that it is not the country districts which are defending their cattle that will suffer. The right hon. Gentleman fears he will destroy the supply of meat to the great towns, and thus interfere with the food of large populations. But I do not think he has sufficiently understood the bearing of his Bill on that point, for he has given each local authority the power of stopping the traffic by any railway that passes through the locality. Suppose Huntingdon were declared to be an infected district, the effect would be to tie a tourniquet round the Great Northern Railway; or Reading, for instance, would produce the same effect in reference to the Great Western Railway; and thus, by this superstitious reverence for local authorities, you would destroy the object you have in view. It appears to me that there are two classes, the interests of one or other of which might have been consulted in the Bill now before the House. The Government might have consulted the interests of the producers, by entirely prohibiting the transfer of cattle. They might have consulted the interests of the consumers, by imposing no restrictions on the transfer of cattle—by leaving it as free as it has heretofore been. But neither of these things has been done by the Government Bill—in fact, the effect of the Bill would be to place the utmost difficulty in the way of the cattle reaching the consumer, while it gave every facility for the rinderpest reaching the cattle. I hope the right hon. Gentleman will take into his serious consideration the Resolutions adopted at the meeting held yesterday. That meeting was certainly no party demonstration. That meeting was presided over by Earl Spencer; a Resolution was moved by Lord Grey, and strongly supported by Lord Lichfield. It was no party movement—it was a genuine expression of the views of the country gentlemen and farmers on the subject of the cattle plague. I complain, that in the Government Bill far too much regard has been paid to traditional jurisdictions. The right hon. Gentleman does not realize the fact that the infection is a question of geography and not of traditional jurisdiction. In ordinary cases, when dealing with men and their long-rooted feelings and opinions, it is very well to deal gently with traditional jurisdictions; but the rinderpest is not of human origin, and has no respect for long-rooted feelings. In dealing with such an extraordinary event, we should legislate boldly and firmly, entirely regardless of all human prejudices and feelings. When such a calamity as this falls upon our country, we must deal with it as we would with an enemy in the field. It is absurd to expect that we can put a stop to the rinderpest by paying respect to the opinions of every country parish, and balancing the claims of one little village against another. We should deal with the cattle plague as we would if a French marshal landed in this country at the head of 100,000 soldiers. The right hon. Gentleman has already shown great facility of conversion; I hope that he will be still further converted, that he will abandon his first hasty resolves, and that he will make such changes in the Bill as to render the action of the Government in this important matter at once comprehensive, prompt, and uniform.

MR. AYRTON deprecated any attempt, in the discussion of this question, to cause a feeling of irritation and antagonism to spring up between town and country. When the cotton famine took place in Lancashire, he most strenuously supported the measure then adopted by the House, by which the wants caused by distress felt only in the towns were relieved by funds raised in the country as well as in the town districts. It had been said that the funds raised for the purpose of relieving the distress in Lancashire were beneficial to the poor alone. Now this was not the case, for had the support of the poor fallen on the ordinary poor rates alone, the rich taxpayers would have most severely suffered. Such being the case, he did not see how hon. Gentlemen could complain so strongly of the principle of compensation recommended by the Bill. He agreed that they should not be carried away by reverence for local traditions and authorities, but should confer power only on such authorities as were sufficiently strong to grapple with a great question like this. There was, however, one thing in the Government Bill of which he should complain—namely, the disposition evinced by the Government to respect every petty and narrow interest. They had, for instance, in dealing with the different municipalities of London, excluded the City. The result of this omission was to entirely exclude the City of London from the provisions of the Bill; whilst of all bodies responsible for the propagation of the disease the City authorities were, perhaps, the most responsible. There was no reason whatever that the City of London should be thus excluded, and he hoped the Government would direct their attention to the matter. There was another point to which he also wished to direct the attention of the Government. By the Bill which the right hon. Baronet had introduced, it was proposed to give compensation to the owners of all animals slaughtered, whereever that slaughter may have taken place. Now, in the Bill by which, on a former occasion, compensation had been given to the owners of cattle, it was enacted that the animal for which compensation was paid should have been slaughtered in some place where it had previously been for a certain space of time. Now, he regarded that as an exceedingly wise provision, and trusted that it would be inserted in the present Bill. If it were not, the result would be that animals from the country would be driven in crowds into the metropolitan and other large markets, and there slaughtered, the expense of compensation being thus shifted to the shoulders of the persons living near those markets. With reference to the measure of compensation, which some hon. Gentlemen considered excessive, he did not think the Government open to the observations that had been made. It should be remembered that the proposed sum was to be paid not on the slaughter of an animal but on its burial. The owner would thus lose not alone the carcass of the beast, but also its hide, hoofs, &c.; and remembering this important fact, he did not consider the amount of remuneration proposed at all excessive. He trusted, however, that the Government would consider the expediency of abandoning the cattle rate.

MR. ACLAND felt convinced that the remarks of the noble Lord opposite (Viscount Cranbourne) would not prevent Her Majesty's Government from carrying into effect a Bill which, instead of being the result of three or four days' incubation, was the result of long experience and serious deliberation. He did not pretend to be in the secrets of Government, but he could bear testimony to the fact that every practical question relating to this measure had been carefully considered. The principles of the two Bills were these. The hon. Member for Northamptonshire (Mr. Hunt) proposed to stop all cattle traffic by road or rail for the next six weeks, with certain exceptions; while the Bill of the Government drew a distinction between the infected and the non-infected districts. Now, he believed that no measures, however stringent they might be, would be sufficient to stop the progress of the plague if they were in force for six weeks only. He had been in communication with many landowners and farmers upon the subject, and he believed that a very large number of practical farmers thought what the Government should do should be to enact something that would work not merely for six weeks, but for many months to come, and should rest upon a distinction between infected and uninfected districts; that there should be the most stringent measures for the former, whilst in the latter the system should be one which could be carried out by farmers who had to live by their farms. He wished to make one suggestion. He would strongly advise the Government to secure for the proper carrying out of the provisions of the Bill the co-operation of practical men through the country. The Government should also retain in its hands the power of overruling any local authority which should, from some local feeling, such as the influence of some crotchetty individual or from any other reason, shrink from doing its duty. He had lately waited on the Home Secretary with a deputation from the Royal Agricultural Society and pointed out the wants of the West of England. In that part of England they were more anxious about the breeding than the feeding of cattle. Indeed, that observation applied to the whole of Wales and the West of Scotland; it was, therefore, important that they should have well-guarded means of moving cattle to the feeding districts. That deputation was in favour of the scheme proposed by the late Member for Whitby—namely, that no prohibition should be placed in the way of sending cattle to market, but that no animal should leave any market alive. The deputation impressed on the Home Secretary the necessity of making this Order, and the reply of the right hon. Gentleman was, "Why don't you do that yourselves? you have full power to do it." Many of the géntlemen present were not up to that period quite aware of the powers which the Order in Council gave to the local authorities. On the day after the interview with the right hon. Gentleman, he (Mr. Acland) returned to his county, and induced a Society representing six counties to put itself in communication with the lords-lieutenant and justices of peace of those counties. They then took certain precautions, the result of which was, that while Cornwall was full of the disease, Devon had almost entirely escaped. A regular cordon was established round the county as a whole, and round all infected parishes; information of the state of the disease was continually being received; and, in short, precautions were taken by the local authorities that it would be absurd to expect from any Government. He therefore thought that while on the one hand Government ought not to entirely give up their control over the local

authorities, on the other it would be a most foolish and disastrous course to withdraw all discretion from these authorities.

Mr. NEVILLE-GRENVILLE said, that representing one of the largest agricultural constituencies in the kingdom (East Somerset), he should be sorry to allow the Bill to pass into Committee without saying a few words on the subject. He represented a large cheesemaking county, and were the plague to inflict it, it would perhaps suffer more than any other county in England. It was a county where the most stringent regulations had been carried out. His experience, however, convinced him that Government action was decidedly necessary. However strict were the orders of quarter sessions, they were found to work most inconveniently, as they differed materially from those of the different boroughs in their districts. The very transit of cattle by railways created great confusion; and he had heard farmers say that from the vexation arising from the different regulations on the one side and the other, the remedy was almost worse than the disease. A farmer within his district had been recently summoned before the petty sessions on a charge of having transgressed the orders of the magistrates. For his defence the farmer produced the letter which he (Mr. Grenville) would now read to the House—

> "Sir,—In reference to your letter of the 18th I am directed by Sir G. Grey to inform you that farmers may drive fat cattle to a railway station not situated in their own parish, provided it be the nearest available for the purpose.—I am yours, H. Waddington."

It thus appeared that the Orders in Council, as expounded by the Secretary of State, differed altogether from those of the magistracy. In the face of such mortifying facts it appeared to him that Government action was highly necessary. He therefore hailed the Bill before the House, not because it contained all that they wished, but because it showed the Government were in earnest in their endeavours to meet the evil, and he sincerely hoped that the result of the operation of the measure would be as beneficial to the country generally as they all desired. The orders of the quarter sessions differed not only from those of the Privy Council, but the construction put upon them by the magistrates and their clerks was most conflicting. In his county there had recently sprung up a feeling that the time had come for, to some extent, modifying the very stringent regulations in force to prevent the spread of the cattle disease. At a recent quarter sessions held in the county, a discussion took place with reference to this subject. But the chairman, Sir William Miles, a gentleman who had for many years sat in the House of Commons, expressed his opinion in favour of maintaining untouched the regulations at present in force, and read memorials supporting his view of the case from the two largest unions in the county. At the same time memorials, urging that the present regulations should be modified, were read from seven unions in the county. Before resuming his seat, he wished to make a remark with reference to the subject of compensation. From the manner in which this subject had been treated by some hon. Members, one would think that the farmers and stockowners when asking for compensation were asking for relief from a misfortune which had fallen upon them in the ordinary course of things. Now that view of the case would be quite correct if the agriculturists asked for compensation for cattle that died of disease. But it was one thing to have an animal die of disease and another to have a Government officer come into a man's shed and *nolens volens* knock his cow on the head. It was said that farmers asking for relief under such circumstances was similar to a merchant's asking Government for relief if his vessel were shipwrecked. Now, if a man's vessel were shipwrecked it was quite true that he had no right to look for relief to Government, but it would be a very different matter if a Government officer went on board a vessel, scuttled it, and sent it to the bottom. A good deal had also been said about the manner of raising the fund for compensation. Now he objected to the *5s.* head money on cattle. There was not, he believed, a union in the county which had not established its own assurance company, the subscribers to which were obliged to pay *5s.* a head on their cattle. It would, therefore, be a hard case to increase the liability of those gentlemen to *10s.* a head. He trusted that this Bill would be agreed to, and that no measure would be brought forward to encourage the destruction of calves, which would inflict lasting evils upon the country.

SIR GEORGE GREY: On one point the House is unanimous, whatever difference of opinion exists respecting the Bills that have been introduced — that is that whatever is done should be done quickly. There is a general agreement that the Bill of the Government should be read a second time—the Government taking the same course in regard to the Bill of the hon. Member for Northamptonshire —the point of difference between us being one which can be efficiently dealt with in Committee, and on which we shall be glad to have the opinion of the House. Therefore, I shall refrain from making any reply to the criticizm of the hon. Member for Northamptonshire on this Bill, and shall likewise refrain from offering any criticizm on his Bill. The debate, according to the rule of the House, must stop at a quarter before six o'clock; and I hope, therefore, that hon. Gentlemen will allow the two Bills to be read a second time, in order to fix the Committee for to-morrow.

MR. LIDDELL said, that considering the great importance of the Bill, he would suggest that there should be a morning sitting to-morrow.

THE CHANCELLOR OF THE EXCHEQUER said, that if at such very short notice the House determined on having a morning sitting to-morrow, many hon. Members might be prevented from attending. Should the Bill not make rapid progress in Committee, he would consider the propriety of having a morning sitting.

Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Then the CATTLE PLAGUE BILL [Bill 7] read a second time, and *committed* for *To-morrow.*

SUPPLY.

Resolution, "That a Supply be granted to Her Majesty," *reported*, and *agreed to*, *Nemine Contradicente.*

SUPPLY — Committee appointed for *Friday.*

House adjourned at half
after Five o'clock.

HOUSE OF LORDS,

Thursday, February 15, 1866.

MINUTES.]—Several Lords took the Oath.
The Lord Petre took the Oath prescribed by the Act 10 *Geo.* IV.

CATTLE PLAGUE QUESTION.

MOTION FOR PAPERS.

Several Petitions *presented.*

LORD CAMPBELL inquired, Whether it is the intention of the Government, upon further consideration, to give effect to the suggestion made to them on Tuesday last by a noble Earl (the Earl of Derby) to the effect that, with a view of insuring more immediate action, Resolutions should be submitted to both Houses of Parliament, and as soon as these were adopted, that Orders in Council based upon them should be issued?

EARL GRANVILLE: I am not aware of anything that has occurred since the discussion of Thursday last that would induce the Government to proceed by way of Resolution. As far as I am aware, from what has occurred in another place, there seems to be a very general concurrence of opinion in favour of proceeding by Bill; and, without agreeing with the Government measure in every particular, that whatever is done in that way should be done as quickly as possible. At no distant date, therefore, I hope to be able to lay the measure itself before your Lordships. We are dealing with the subject as promptly as possible, and as several important points are raised by the new Bill my answer must be that it is not the intention of the Government to anticipate the introduction of the measure to your Lordships by moving Resolutions in both Houses of Parliament.

THE MARQUESS OF SALISBURY, in moving for certain Returns relating to the importation of cattle into the ports of Liverpool, London, and Hull, said, it would be in the recollection of their Lordships that in the course of a discussion which took place on the subject two or three days ago, he had mentioned that a large number of diseased cattle were suffered to come into the market, and that his noble Friend opposite (Earl Granville) had said that he could give no information beyond the fact that very strict orders had been issued upon the subject. Under these circumstances, he (the Marquess of Salisbury) had caused inquires to be made in the neighbourhood of Blackwall with a view to obtain some information with respect to the condition of cattle landed there from abroad. The person he sent had furnished him with a statement of the number of cattle landed at Brown's and the Brunswick Wharves, Blackwall, as well as the number detained, and the cause of their detention, from the 3rd of December until the 15th of January inclusive. During that time 976 animals had been landed from Hamburg, Gottenburg, Rotterdam, or Boulogne, and ninety-one of them had been detained. Five of those detained were kept back because they were injured; one because it had cancer in the head; and the remaining eighty-five had eczema. He had inquired what eczema was, and had been informed from good authority that it was what was commonly termed foot and mouth disease, a disease which is very well known to all agriculturists to be one of the most infectious and most injurious diseases to horned cattle, though not necessarily destructive to life. The largest number of cattle landed at these wharves from any one ship during that time was 346 from Rotterdam on the 15th of December. His informant further ascertained that of a cargo of thirty-six beasts brought from Hamburg by the ship *Castro* fourteen were slaughtered at the point of disembarcation, because they had eczema, but the meat was certified to be fit for human food. And the whole of a cargo of thirty-three beasts landed from the ship *Planet*, from Hamburg, on the 15th of January, were slaughtered because they had the same disease; but they were all, with one exception, passed as fit for human food. The animal excepted was condemned, not because it had eczema, but because of "general decay." The compiler of the Returns then concluded as follows:—

> "Being referred to the inspector's clerk to the Custom House for further information, I attended there and saw Colonel Grey and Mr. Hood (Chief Comptroller). The latter wrote to the inspector calling for full details for December and January, of every case of disease arriving at port. The bearer of the letter, on his return, said that the clerk on perusing the letter, intimated 'that he should not send the information.' Mr. Hood then promised to compel him to do so, and to write to Mr. Nicholson with the details."

He thought the House should be made acquainted with the strict instructions the Government had issued, and should be informed whether or not diseased cattle were allowed under any circumstances to come into the London market, and he would therefore move for Returns to that effect.

Address moved for—

"Copy of the Instructions given to Her Majesty's Customs with reference to the Prevention of the Importation of diseased Cattle:

"Returns of the Number of Cattle landed at the Ports of Liverpool, London, and Hull, with the Numbers detained, and Cause of Detention, in the Month of December 1865 and January 1866."—(*The Marquess of Salisbury.*)

Earl **GRANVILLE**, in assenting to the production of the Returns, remarked that as the application made to the clerk referred to was somewhat irregular, he was not surprised to hear that he had declined to give the information required of him.

Motion *agreed to.*

PRISONS ACT (1865).

MOTION FOR PAPERS.

The Earl of **CARNARVON** said, he had endeavoured upon a previous occasion to gain some information with reference to the conduct of prisons. In reply he was requested to move for certain Returns. He did not think they would supply him with the information he desired, but he had no objection to move for them, and if the result were not satisfactory he would make his inquiry of Her Majesty's Government again. He therefore begged leave to move, in terms of his notice, an Address for—

"Copies of Letters addressed by the Secretary of State for the Home Department to Chairmen of Quarter Sessions of Counties and Mayors of Boroughs: And,

"Of Correspondence with the Inspectors of Prisons on the subject of carrying into effect the Provisions of the Prisons Act, 1865."—(*The Earl of Carnarvon.*)

Motion *agreed to.*

CATTLE PLAGUE.

MOTION FOR PAPERS.

The Duke of **MARLBOROUGH**, in moving for papers, according to notice, said, he thought that the discussion which would take place in their Lordships' House upon the reading of the Bill upon the cattle plague would be much facilitated by the production of the Returns for which he asked. The noble Duke then moved an Address for—

"Copies of all Orders made by Courts of Quarter Sessions relative to the Cattle Plague since the Order in Council of 16th December, 1865; and for a Copy of a Letter from the Secretary of State to the Chairmen of Quarter Sessions relative to the said Order."

The Earl of **ELLENBOROUGH** said, he thought it would be desirable to have the orders issued by the mayors and magistrates in the various boroughs produced at the same time. This was the more necessary inasmuch as the orders agreed to by the magistrates in quarter sessions had appeared in the county newspapers; but he did not believe that the same publicity had been given to the notices issued by the borough mayors and magistrates.

Earl **GRANVILLE** was understood to say that the orders would be extremely voluminous, and he hoped that an analysis would satisfy the noble Duke.

The Duke of **MARLBOROUGH** thought the production of the orders in quarter sessions *in extenso* was desirable; though the analysis of the orders in boroughs would, he believed, be quite sufficient.

The Earl of **ELLENBOROUGH** said, that if any difficulty prevented the Returns being made *in extenso,* it was at all events very desirable that their Lordships should have the analysis.

Motion amended, and *agreed to.*

Address for—

"Copies of all Orders made by Courts of Quarter Sessions and by the local Authorities in Cities and Municipal Boroughs in England and Wales relative to the Cattle Plague since the Order in Council of 16th December, 1865, and an Analysis of the said Orders; and a Copy of a Letter from the Secretary of State to the Chairmen of Quarter Sessions relative to the said Order in Council: And the like Return and Analysis for Scotland as respects Orders made in Quarter or General Sessions, or by the local Authorities of Burghs or Towns having a Town Council."—(*The Duke of Marlborough.*)

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 15, 1866.

MINUTES.]—Select Committee — On Mines *appointed.*

Public Bills—*Ordered*—Jamaica Government*; Court of Chancery (Ireland)*; Common Law Courts (Ireland).*

First Reading — Jamaica Government [17]; Common Law Courts (Ireland)* [18]; Court of Chancery (Ireland)* [19].

Second Reading— National Debt Reduction* [4]; Savings Banks and Post Office Savings Banks [5]; Pensions* [8].

Committee—Cattle Diseases* [6] [r.p.]

INDUSTRIAL SCHOOLS — STATUTE 24 & 25 *VICT.* c. 113.—QUESTION.

Mr. **LIDDELL** asked the Secretary of State for the Home Department, Whether it is the intention of the Government to propose to continue the Act 24 & 25 *Vict.* c. 113, relating to Industrial Schools, which expires on the 1st day of January next?

SIR GEORGE GREY replied that it was the intention of the Government to propose the continuance of the Act in question.

FOUNDERING OF THE "LONDON."

QUESTION.

SIR JOHN PAKINGTON asked the President of the Board of Trade, Whether it is true that a counsel retained by the friends of some of the passengers lost in the *London* to attend the inquiry into the causes which led to the foundering of that ship, retired from the investigation because he was not permitted to cross-examine the witnesses; and, if so, what steps have been taken by the Board of Trade to elicit by an inquiry the whole facts so connected with that melancholy event?

MR. MILNER GIBSON said, it was true that a learned gentleman who appeared on behalf of the relatives of some of the persons who perished in the *London* was refused permission to cross-examine the witnesses who were examined at the inquiry. Mr. Traill, the presiding magistrate, refused that permission in order that the inquiry might be conducted according to the provisions of the Act of Parliament. The form of the investigation into cases of shipwreck, which was ordered by the Board of Trade under the Merchant Shipping Act, was prescribed by the Act; and under it a person was specially appointed to conduct the inquiry. Mr. Traill, therefore, thought that the inquiry into the loss of the *London* should be conducted strictly in conformity with the Act; but in the exercise of his discretion had he allowed counsel to appear on behalf of the relatives of persons who had perished he would have caused long delay, and might have unnecessarily prejudiced rights and liability which were proper to be determined in a court of law. As some misconception prevailed on the subject he wished to state that no decision was come to in these inquiries which affected the rights or liabilities of any one, and that no one had a right or claim to be heard except the captain or mate, who might be deprived of his certificate. If it appeared during the inquiry that the ship was lost through default on the part of the captain or mate, it was provided by a clause in the Act that in such a case such captain or mate should have a full opportunity of being heard either by himself or counsel. Mr. Traill had pointed out to him that there would be great practical inconvenience of various kinds if an inquiry into the cause of a wreck, instituted with the view of enabling all concerned to provide remedies against similar casualties, such as improved construction of ships, correction of charts, new lighthouses, and the like, should be made an opportunity for interested parties to anticipate proceedings, which ought more properly to take place in an ordinary court of law.

SIR JOHN PAKINGTON said, as it seemed to him impossible that the public would be contented as respected the safety of passengers with the answer of the right hon. Gentleman, he gave notice that on a future day he would call the attention of the House to the subject.

SEWAGE OF TOWNS.—QUESTION.

MR. SCHREIBER asked the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to propose, early in the present Session, any additional legislation with regard to the Sewage of large towns?

SIR GEORGE GREY said, that the Government did not entertain any such intention; for this reason—in the course of last Session an Act was passed giving municipal and local authorities power to acquire land, and other facilities in respect of sewage, and a Commission was also appointed to inquire into the state of rivers in the United Kingdom including the effect on them of sewage of towns. Until some experience had been obtained of the operation of that Act, and until a Report had been received from the Commission, the Government did not think it expedient to propose any further legislation on the subject.

THE CATTLE PLAGUE (IRELAND).

QUESTION.

COLONEL FORDE asked the Secretary of State for the Home Department, Whether any general orders have been issued by the Irish Government to the Constabulary and Revenue authorities, requiring them to inspect all vessels arriving at any place on the Irish coast, with a view to enforcing the Orders in Council prohibiting the importation of cattle and sheep? The hon. and gallant Member said there were reports in the north of Ireland that cattle were carried there clandestinely, in small vessels, from England.

SIR GEORGE GREY said, he could not state what the specific instructions were, but instructions to the effect mentioned had been given. A short time ago he received a request from the Lord Lieutenant that a vigilant supervision should be exercised by the Customs authorities at the ports in England and especially in Scotland whence cattle might possibly be embarked for Ireland. The attention of the Irish Government had been closely directed to the subject, and no doubt they had given specific instructions to guard against the danger apprehended.

THE CATTLE PLAGUE (IRELAND).

QUESTION.

THE O'DONOGHUE asked the Attorney General for Ireland, Whether he did not think there was great danger in delaying the introduction of a measure to meet the requirement of Ireland, should the cattle plague extend there?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON), in reply, said, that already an Order in Council was in force in Ireland with respect to the cattle plague, and a Bill had also been prepared on the subject, and would be submitted to the House as soon as practicable.

MAJOR KNOX wished to put a Question to the Home Secretary on a subject which had excited great alarm in the north of Ireland. He wished to know whether it was true that an Order in Council had been issued, or was about to be issued, for the admission of hides and skins of sheep and lambs into Ireland in a disinfected state?

SIR GEORGE GREY replied that no such proposal had ever been made to him, or, so far as he was aware, to any Member of the Government.

THE CATTLE PLAGUE—COMPENSATION RATE.—QUESTION.

SIR ROBERT ANSTRUTHER asked the Secretary of State for the Home Department, Whether in those counties in which a Rate for Compensation has already been raised by voluntary assessment, those who had paid such Rate would be relieved by the amount they have already paid from contributing to the Rate to be raised by the local authority?

SIR GEORGE GREY said, that if there existed already a fund in hand applicable to the same purpose as the proposed rate, there could be no possible reason for a second collection. On the other hand, however, if a fund raised, either by a voluntary rate or by local contributions, was applicable to another purpose, it would still be necessary, in order to give compensation for animals slaughtered under the Bill, to raise a sufficient sum for this purpose by rate.

CATTLE PLAGUE (SCOTLAND)—MEETING OF SCOTCH MEMBERS.

QUESTION.

LORD ELCHO said, the Lord Advocate had called a meeting of Scotch Members for two o'clock to-morrow in the tea-room on the subject of the Cattle Plague. He should like to know, What was the particular question to be discussed?

THE LORD ADVOCATE said, his object was to ascertain the views of Scotch Members, respecting those clauses of the Cattle Diseases Bill which applied to Scotland, and especially with respect to the machinery for carrying out the provisions of the Bill in Scotland.

NEW COURTS OF LAW.—QUESTION.

MR. CAVENDISH BENTINCK asked, What course the Government intends to pursue in reference to the selection of the architectural designs for the new Courts of Law?

MR. COWPER said, the designs for the new Courts of Justice and Offices would be selected by competition among architects. As the preparation of those designs would require very protracted and minute study in order to meet the special requirements of the courts and offices, competition would be restricted to a small number of architects, and the selection of the architects would be intrusted to a committee, which would include eminent members of the legal profession and Members of the Government.

ORDERS OF THE DAY.

Ordered, That the first Three Orders of the Day be postponed till after the other Orders of the Day.

CATTLE DISEASES BILL—[Bill 6.]

COMMITTEE.

[The Bill having been *Committed, Re-committed,* and *Considered as Amended,* without having been *re-printed,* great difficulty has been experienced in following out the

Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to*, with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 22.]

Order of the Day for Committee read.

On Question, That Mr. Speaker do now leave the Chair;

MR. PUGH said, he wished to say a word with reference to that part of the country (Carmarthenshire) with which he was connected; that was at present uninfected, as were, he was happy to say, ten counties in Wales. All, of course, were for preventing diseased cattle from being brought into the district, but there seemed to be no reason for stopping the free movement of cattle throughout the whole of that uninfected area. In the interesting memorandum published in *The Times* yesterday on the course of the distemper in the last century, it was stated that then also an attempt was made totally to prohibit the movement of cattle for a limited period, but that it was abandoned on account of the violent opposition which it encountered. He wished that nothing of the kind should happen now; that they should have no occasion to retrace their steps; or to say of any part of the Bill *improvidè emanavit.* It would be seen from the same memorandum that in the subsequent outbreaks the safety of the country was sufficiently provided for by the proclamation of infected places, and the prohibition of the removal of cattle from them. He hoped that drawing a cordon around them or something of the kind might now, or soon, be found to be sufficient. There were other districts similarly situated. It would be a satisfaction to all to know that their case had been considered, though their wishes might not be gratified to the full extent. He would leave the matter in the hands of the Government. All that was wanted was, to relax the stringency of the 21st clause, so as to except the uninfected districts, which could be done when they came to that clause or in a subsequent stage of the proceedings.

COLONEL SYKES said, that on Tuesday last, before the adjournment of the House, he had made a suggestion which he thought it would be well to adopt. It was—That the compensation clauses, which excited much diversity of opinion, should be made into a separate Bill, and that the stamping out clauses should be gone through at once with a view to expedite matters.

Motion *agreed to*:—House in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 *postponed.*

Clause 4 *agreed to.*

Clause 5 (Local Authority in Counties in Scotland).

THE LORD ADVOCATE rose to address the Committee—

MR. DISRAELI said, he wished to ask, with a view to the progress of the public business, whether the explanation which the Lord Advocate was about to give was the same as that which he intended to give at the meeting in the tea-room to-morrow. It was his object to facilitate the progress of the Bill, which he had been in hopes would be passed through Committee that night. But if there were an arrangement by which a section of the Government was to meet a section of the Members of that House to-morrow it might have the effect of preventing the passing of the Bill through Committee that night. He trusted that the Lord Advocate would make his explanation then with the view of expediting the Bill.

THE LORD ADVOCATE said, the explanation which he intended to give had reference not to the meeting to be held to-morrow, but to one which had been held two or three days ago, in which the Scotch Members were unanimously of opinion that tenant-farmers should be associated with the local authorities in working the Bill.

SIR JAMES FERGUSSON said, he would not delay the Committee on any matter which was not of first-rate importance, but to his mind there were some points in the clause which were highly objectionable, and which he would have eliminated. In the first place the tenant-farmers, who were properly disposed to associate with the justices of counties in forming County Boards, and whom it was proposed very justly to associate with the Commissioners of Supply, were to be nominated by the lord-lieutenant. That was not respectful to the tenant-farmers, who were quite as capable of electing their representatives to the Board as the magistrates themselves. In the second place, it was proposed that in case the county authorities should be remiss in enforcing the Act, the Secretary of State, through the sheriff of the county, should have power to do so.

Now, there was no reason whatever to introduce a provison which contemplated that the local authorities would not do their duty. No provision of the kind had been introduced with regard to England, and it was equally unnecessary with respect to Scotland.

Lord HENRY SCOTT said, he would recommend the postponement of the clause until after the meeting to be held to-morrow, as it involved questions of great importance.

Lord ELCHO said, that as it was desirable that the measure should be proceeded with without delay, this clause, which applied only to Scotland, and was likely to raise some discussion among Scotch Members, should be postponed.

Mr. BAILLIE COCHRANE said, he did not see how the postponement of the clause would expedite the progress of the Bill.

Sir ANDREW AGNEW said, that celerity was the object which they had in view, and he did not see how it was possible in a short time to get tenants to hold mass meetings to elect representatives.

The LORD ADVOCATE said, that it was the universal opinion on this subject that whatever was to be done should be done without the slightest delay. Now, the tenant-farmers of Scotland were not a legally-constituted body, and if they were to elect the members of the County Board, providing the machinery for that election would cause much loss of time. He therefore thought it would be better to leave the election of the Board to the Lords Lieutenant and Commissioners of Supply. With regard to the latter part of the clause, he had no desire to retain it if the feeling of the Committee was against it.

Mr. CUMMING-BRUCE said, he should support the Amendment. The election of the County Board ought to be left in the hands of the tenant-farmers, who were the persons interested, and not intrusted to the Lords Lieutenant, whose appointments were based on purely political grounds.

Amendment *negatived.*

Sir EDWARD COLEBROOKE said, he wished to ask the Lord Advocate what number of persons the proposed County Boards were to consist of?

The LORD ADVOCATE: Not less than four, nor more than ten.

Sir EDWARD COLEBROOKE said, he thought that the numbers proposed were, especially for large counties, too small. He moved, as an Amendment, that the words in the clause should be "not less than four, nor more than fifteen."

Amendment *agreed to.*

Sir JAMES FERGUSSON said, he desired to draw attention to the omission of any qualification for the tenant-farmers who were to be nominated by the Lord Lieutenant. He would move an Amendment to insert the words "valued in the valuation roll in force for the time at £100 a year or upwards."

The LORD ADVOCATE said, he consented to the proposed change.

Amendment *agreed to.*

Mr. DUNLOP moved that the sheriff of the county should form part of the Local Board.

Amendment *agreed to.*

Mr. CARNEGIE moved the insertion of words making "Lord Lieutenant and the convener of the county *ex officio* members of the Local Board."

Amendment *agreed to.*

The LORD ADVOCATE moved the omission of the words at the end of the clause empowering the Home Secretary to nominate the persons to carry out the Act in Scotland, in case the Lord Lieutenant or Commissioners of Supply neglect to do so.

Amendment *agreed to.*

Sir JAMES FERGUSSON moved an addition to the clause, giving the local authorities of counties power over all the boroughs within their respective counties, except as to compensation—that being left to the boroughs. He proposed to exempt Glasgow and Edinburgh. The great number of local jurisdictions in the counties had been the great difficulty in putting the Orders in Council into execution. Any disputes arising should be left to the arbitration of the sheriff, whose decision should be final.

The LORD ADVOCATE said, he could not agree to the Amendment. The clause was framed like the similar clause relating to England. If the burghs were to be legislated for by the County Board, it would be necessary for them to be represented at the Board.

Colonel SYKES said, that if Edinburgh and Glasgow were to be exempted, he should claim a similar exemption for Aberdeen.

SIR JAMES FERGUSSON said, that unless his Amendment were agreed to, it would be possible for the boroughs to neglect carrying out the regulations. In some of the Scotch boroughs the Orders in Council and those of the county local authorities had been set at naught. If the Government objected to his Amendment in its present shape, he would suggest that the chief magistrate in the boroughs should be associated with the county authorities.

MR. CUMMING-BRUCE said, he hoped that the Amendment would be accepted; although he admitted that, if Edinburgh and Glasgow were exempted, Aberdeen, Dundee, and one or two other of the larger towns should enjoy a similar exemption.

SIR ANDREW AGNEW said, he trusted that the operation of the Bill would not be frustrated by the clashing of the local authorities. He thought that the Lord Advocate might frame a proviso that would meet the wishes of the hon. Member for Ayrshire.

SIR EDWARD COLEBROOKE said, that if the Government would adopt the suggestion of the right hon. Member for Calne (Mr. Lowe) and define the powers to be exercised, then these discretionary powers would not be required; but if the Bill were to remain in its present shape, the Amendment of the hon. Baronet would defeat the whole object of the Bill.

Amendment put, and *negatived.*

Clause, as amended, *agreed to.* [*cl.* 5.]

Clause 6 (Power to assemble General Sessions).

MR. ADDERLEY said, there appeared to be an intentional omission in this clause. By the clause it would appear that the justices would have power to convene a general sessions at any time. What he would propose was, that it should be confined to the first convening of the sessions, they having power to adjourn from time to time. The object of the Bill was simplification; but he was afraid confusion would be increased if general sessions could be convened by any two justices, each session acting independently and antagonistic to the other.

SIR FITZROY KELLY said, the clause ran thus—

> "Any two or more Justices of a County may, by writing under their hands, require the Clerk of the Peace to summon a General Sessions of the Justices of the County for the purpose of carrying into effect the provisions of this Act."

Now, he apprehended it was quite necessary that the local authorities in the various counties should be at once constituted without delay under the Act, in order to be in readiness to carry out its provisions, and it might so happen that in certain counties the justices might altogether object to the Act being brought into operation there. He would, therefore, suggest that the clause should be made imperative in its language, and instead of beginning with the words "any two or more justices may," should commence thus:—"The Clerk of the Peace in every county in England and Wales shall be and hereby is required to summon a General Sessions," &c. The effect of that would be to have the proper local authority constituted at once in every county.

SIR GEORGE GREY said, the object of the clause was to facilitate the meeting of a general sessions without delay where the quarter sessions have not been adjourned, and to obviate the inconvenience arising from the necessity of giving a lengthened notice. He had addressed a letter to the chairmen of quarter sessions, pointing out the expediency of adjourning for short periods, and in many cases they had done that. Where that was so, it was not necessary that these general sessions should be convened, because the quarter sessions could meet from time to time. In some counties that had not been done, and in these it was necessary there should be power to convene a general sessions. Perhaps it would be better to provide that where no adjourned sessions was appointed to be held within two or three days from the passing of that Act a general sessions should be convened forthwith. He would prepare a clause which should meet the object of the Amendment.

MR. HUNT said, it would be better to postpone the clause and bring up a fresh one on the Report.

SIR GEORGE GREY said, he would do so.

MR. HENLEY said, he hoped that care would be taken not to set up two authorities, for as the Bill was now drawn it was very doubtful whether the general sessions and the quarter sessions would not be in existence both together.

MR. WALDEGRAVE-LESLIE suggested that the Secretary of State should insert the words "in England and Wales," so as to make it clear that the provisions should not clash with those of Clause 5.

Clause *postponed.*

Clause 7 (Power of Local Authority to form Committee of its own Members and others).

Mr. ADDERLEY said, that under this clause there might be an unlimited number of committees, leading to greater confusion than that which even now existed. At first the Government began with the petty sessions; afterwards they felt it necessary to extend the area to the quarter sessions; but even then they found that every quarter sessions throughout the kingdom drew up a set of orders all more or less differing. The object of having an Act of Parliament, therefore, was to go a step further, and make the action national and uniform. The existing machinery was sufficient in all respects except uniformty ; but that clause, as it stood, was actually a retrograde step, for it disintegrated the quarter sessions, and introduced confusion worse confounded. The proper course would be to enable the quarter session of a county to delegate its authority to only one standing committee. He would have only one committee in each county except in particular cases, such as in the county of Hants, including the Isle of Wight, in which case he would have a second committee, taking care, however, to prevent the two from clashing. In that way they would avoid the issuing of clashing orders, and the committee could act within proper restrictions in the intervals between the general meetings. He hoped that that clause would also be postponed for re-construction.

Sir HARRY VERNEY said, that in order to make the Bill popular it would be best that the executive committees should be of mixed composition, having non-magisterial members upon them.

Mr. GATHORNE HARDY said, that if the local authorities were to have the power of granting licences for the removal of cattle, of issuing orders for their slaughter and of regulating matters of that kind, it was absurd to suppose that one committee in the centre of a county would be sufficient in cases where immediate action was necessary at any particular spot. He suggested that the clause should be postponed.

Mr. DENT said, that the powers to be given to the committee would be very large. He thought there should be only one committee from whom all the directions should emanate. If there were other committees they should be only executive.

Sir GEORGE GREY said, that the object of the clause was merely to afford facilities to the quarter sessions to discharge their duties. An hon. Member suggested they should have the power of appointing an executive committee. He presumed if it were found necessary to appoint more than one committee rules would be laid down for their guidance, so as to ensure uniformity. He thought this might safely be left to the quarter sessions, but he had no objection to postpone the clause and some of the subsequent clauses, as he thought that they might be discussed to greater advantage when the House had decided what the powers of the local authorities should be.

Sir JOHN SIMEON said, that the Isle of Wight eminently required to be left to deal with the case by itself, and as far as that island was concerned the Orders in Council gave a convenient authority. The Isle of Wight was a petty sessional division of the county of Hants ; and it would be a great inconvenience for the inhabitants to have to receive their orders from a central committee for the whole county, sitting probably at Winchester.

Colonel EDWARDS said, that a considerable section of his constituents living in a district containing large herds of high bred short-horned cattle, varying in value from £25 to £500 each, complained bitterly of the arbitrary power of the local authorities contemplated by the Government Bill. It appeared to him that by the provisions of that Bill the Board would have power to destroy all the animals in one farm or farm-stead, if in one solitary instance infection was proved or even suspected. He (Colonel Edwards) deprecated this arbitrary power as a gross injustice and a virtual confiscation of property when the amount of compensation was to be so disproportionate to its value. His constituents feel that as in many cases where the rinderpest has broken out, and where isolation has been resorted to at the earliest stage, many cures have been effected—also, that in cases where the immediate slaughter of the suspected animal has taken place the disease has been arrested—that exceptions might fairly be made where such an amount of property was involved, and where no proportionate compensation was allowed to the owners, many of whom must otherwise be utterly ruined.

Sir GEORGE GREY said, it would perhaps be better to postpone the whole of the first part of the Bill until the House had determined what the temporary provisions should be.

Sir JOHN TROLLOPE: We should in that case come to the temporary provisions of the Bill at once. If you do not have such a clause as this you will not carry out the provisions of the Bill at all.

Sir GEORGE GREY said, he had no intention of abandoning this clause.

Clauses 7, 8, and 9 *postponed.*

Clause 10 (Appointment of Inspectors and other Officers).

Mr. HUNT proposed the addition of words continuing in office inspectors already appointed under the Orders in Council.

Sir GEORGE GREY said, he had no objection.

Clause *postponed.*

Clause 11 (Power of Entry for Inspectors, &c.).

Mr. LONG said, he hoped that when this clause should come under consideration, the right hon. Gentleman would make provision for the compulsory disinfection of cattle inspectors, it being strongly felt in many counties that the greatest carriers of cattle disease were the cattle plague inspectors.

Clause *postponed*

Clause 12 (Limit of Duration of Part I).

Mr. HUNT said, he would suggest the addition of words providing for the revival of any provisions which might have been discontinued.

Sir GEORGE GREY said, he assented to the proposal.

Clause amended, and *agreed to.*[*cl.* 11.]

Clause 13 (Slaughter of diseased Animals).

Mr. AYRTON said, that the clause, as it stood, held out a premium on the shifting of diseased cattle from one place to another, inasmuch as while it provided that compensation for the slaughter of a diseased animal should be paid by the local authority, it contained no condition that the animal should have been in the particular locality for a certain number of days previous to its being killed. The point was a very important one for the Metropolitan Market, for he was afraid that if any one in the country districts suspected that his cattle were diseased, he would immediately hurry them up to that market, where of course it would soon be discovered that they were attacked by the plague. They would, upon that discovery being made, be at once slaughtered, and the metropolis would be obliged to bear the burden of paying the proposed compensation.

Sir GEORGE GREY said, that anybody bringing diseased cattle to the metropolitan or any other market would be liable to a penalty. He had prepared a proviso in reference to compensation, the effect of which was that it should not be given in the case of any animals removed from one place to another in contravention of the Act.

Mr. BRIGHT: I wish, before we go further, to ask the right hon. Gentleman the Home Secretary whether he does not think it desirable to postpone for the present the clauses relating to compensation. It is admitted on both sides of the House that it would be well to pass as quickly as possible a measure which is meant to put an end to the plague; but then this question of compensation might be discussed more at leisure. I beg hon. Gentlemen to bear in mind that the purport of this Bill is almost entirely unknown in the country. There are hundreds of thousands of persons who may be called upon to pay the tax under this Bill who have never seen the Bill and do not know in the least what we are discussing at this moment. I have never known, since I have been in Parliament, a general measure of taxation, as many feel, of a very doubtful character, hurried through the House in the manner in which from the pressure of the case—I am not blaming anyone for it—but from the pressure of the case it is sought to hurry this. I yesterday made some observations to the House upon this question. I feel we are in danger in our haste of committing a mistake, which, after all, is of no great pecuniary importance probably to anyone, but is of great importance as establishing a precedent on which this House may be called upon in future times to do that which we shall find it difficult to refuse, and I hope still more difficult to grant. The three clauses which touch the question of compensation are the 13th, the 16th, and the 18th. The 31st has reference to the rate. The 13th says that every animal diseased shall be slaughtered, and that the owner shall receive, providing the amount does not exceed £20, for any beast a sum equal to two-thirds of its value. Now, bear in mind that this is an animal already ill of this complaint. It is not a sound beast—as we call it in Lancashire—in the "shippen" or in the field. It is a beast that, judging from experience, has no great chance of life. Now, this clause enacts that it shall be slaughtered by authority — that the owner of it, who in all probability would part with it with pleasure for a sovereign or two sovereigns, is to receive two-thirds of its value in case the sum is not more than £20. My hon. Friend the Member for Westminster (Mr. Stuart Mill) yesterday put this point to the House, and he put it in a manner which is absolutely unanswerable. You are killing this beast by authority, but that in all probability is precisely what the tenant, the owner himself, would do to save from danger the rest of his stock. It is not worth, at the moment you kill it, one-quarter, perhaps not one-tenth that which you propose to give, and, therefore, I say you are departing even from the recognized principle of this Bill—you are giving compensation where it is not for the public good and not to prevent the spread of the disorder. You are buying from an owner, an unfortunate owner—but fortunate, if this Bill passes—you are buying from him at a high price a beast in the last stage of existence whose price in the market would perhaps be nil. Now this is one point. I understand the hon. Member for North Northamptonshire (Mr. Hunt). He believes in the efficacy of isolation. I wish some other authority—the right hon. Member for Calne (Mr. Lowe), for instance, who appears now he is out of office to be an authority on everything—I wish he could tell us, as one of the Cattle Plague Commissioners, whether he considers that if cattle on a particular farm can be entirely isolated from all communication with cattle on any other farm, whether, under such circumstances, it is necessary for any purpose but saving the healthy stock on the farm to destroy that portion of the stock which is diseased. I heard the other day of a gentleman, in the county of Surrey, who has some fields with a high wall round. No man is permitted under any pretence to go inside those divisions, in which he has valuable cattle. The plague has raged all round hitherto—in fact, I am told by the hon. Member for Guildford that he does not know of any part of the country in which the plague has been worse; yet in these particular spots there has been no plague whatever, because there was an entire absence of communication with any surrounding farms where the plague existed. Now, if you could assure this isolation, then I take it to be granted that you would prevent the spread of the disease from an infected farm to a healthy farm. Now, if you are killing diseased cattle, supposing that my position with regard to that be right, you are killing a man's sick cattle in order that you may save the best of his cattle. [An hon. MEMBER: His neighbours'.] No! an hon. Member says his neighbours'. Of course his neighbours', if their cattle are allowed to commingle in the field. But if kept separate and isolated, then, I say, he is not doing this for the good of his neighbours, but for the good of his own stock and the good of his own farm. I think I am only arguing fairly from the statements made during these debates. Now, you come to kill the healthy stock on some farm. Why do you do it? You do it to prevent the risk to that stock from the infection spreading from the diseased portion of his stock. That is clear. Well, if you kill that healthy portion, you kill it clearly to avoid the extra risk to the farmer, and you offer him a compensation which, perhaps, it may be better for him to take than stand the risk. If the infection does not spread, he will not gain by getting the compensation; but if the infection do spread, and the rest of his herd have to be destroyed, then of course he is a great gainer by getting three quarters compensation. I am placing this before the House to show how almost entirely the course you are pursuing by the Bill is a course directed to the special advantage or the special salvation of the property and interest of the farmer. I am not at all going to argue that nobody else has any interest whatever. We all, I hope, have some interest in each other's welfare. But as far as the question of legislation is concerned, this Bill is directed —I am not going to say unwisely directed —for the advantage of those who are the owners of stock. If this be so I cannot comprehend how any man in this House can imagine that you have any claim on the general property of the country or upon the property of those who are not the owners of land, the cultivators of the soil, or the possessors of stock. If a man had his house on fire, it would be a monstrous proposition that he should bring an action against the fire-brigade because injury had been done by a deluge of water. In this case you kill diseased cattle that those around the sick may not be infected; but if you think the danger is great, you kill them, and you offer a compensation equal to three-fourths the original value of the healthy stock. Now, I believe every

Gentleman in the House will agree with me that it is a misfortune that there has not been established throughout the country long ago powerful insurance societies—I mean powerful by the possession of large capital for the purpose of providing during the ordinary course of years for calamities such as this. That, I think, is the general opinion on both sides of the House, and you now come to ask that the House shall do that on account of this pressing emergency—this unexpected calamity—shall do that which, if the farmers had been as prudent as many other people, they would have done for themselves. Now Gentlemen, do not let it be supposed that I am contending you should do nothing, or that Parliament may not wisely do much in this matter. I am not arguing that Parliament may not now, if it likes, assist the landowners and tenants by some general organization of insurance. In the ordinary form it may be now too late. It would seem to be thought so, for you look to taxation, by which the same result, as near as may be, may be brought about as would have been brought to the unfortunate farmers who have losses, had they in past years established a general and great system of insurance. I am not against that, but I ask hon. Gentlemen of this House this question, and I hope I shall not be met by insulting and offensive observations, which have nothing to do with this question, and which have nothing to do with my argument. I put it to every gentleman here who has a sympathy with farmers, and who has, as I hope we all have—a sympathy with justice—I ask him would he think it likely, were a general system of insurance established for cattle, that people that had not any cattle, or any land, should be compelled or expected to subscribe to the funds of a great insurance society for the purpose of relieving the calamities that might fall upon those concerned in agriculture? Clearly not. If there was a great insurance society for farmers' cattle, farmers and cattle-owners would be the only persons who would subscribe to that insurance association. Therefore now, when Parliament wishes, as it were, to bring into one comprehensive scheme a general plan of relief, I think we ought to have regard to that principle and that fact, and abstain from the imposition of any rate or tax whatsoever in connection with this matter except upon that great, influential, and most wealthy class of society connected with the ownership and cultivation of the soil. Hon. Gentlemen may fancy that I am arguing this way from some personal opposition to that class. I have never imputed to any Member on that side of the House so mean a motive for anything which he did. In all probability—in fact —certainly, as far as I am concerned—this matter will have the least possible influence—it would not take more probably out of one's pocket than the dinners of a week. I am not speaking with reference to what any person will have to pay. I think the House—and I hope they will believe me—are about to adopt a principle which heretofore they have never adopted, and which, if they accept it now, will bring them into great difficulty at some future time. I think it will have a most pernicious influence upon every class of the country that may chance to come under any special calamity. Lately we have had some great calamities. There was in Yorkshire, a few years ago, the bursting of a reservoir at Holmfirth. At Sheffield there was but recently another accident of the same kind, which caused an enormous amount of damage. In Lancashire there has been a failure in the supply of cotton. In all these cases there has been a magnificent generosity shown on the part of the public, so much so that in each case there was a very considerable percentage of the money subscribed returned to those who subscribed it. Nothing could be more generous on the part of the nation; nothing could give more pleasure than such a fact. But if you establish the principle of this Bill, that when the cotton spinners or the shipowners on the one hand, or the farmers on the other, shall come under the pressure of a great calamity like this—and especially a calamity against which they might have provided—that they may come to this House for assistance, it will do much to dry up the springs of benevolence and bring many other persons to the Bar of this House asking for similar measures founded on the pernicious principle on which this Bill is built. I appeal to hon. Gentlemen opposite, as the most wealthy class in this country—as the class with the greatest amount of certain property —as the possessors of the income, I would say, that is most unvarying except that it is constantly increasing. Hon. Gentlemen know perfectly well—much better than I do—how much their incomes have increased since we ruined them in bulk about twenty years ago. Supposing that compensation must be given—if the measure be confined as it ought to be confined to owners and occupiers of land—you may give extensive relief as much as you will by this Bill, and it will not make any essential difference to any Gentlemen I see before me or to any of their friends. On the other hand, it will keep Parliament from the commission of an error that if committed now will bring us, I am persuaded, into many occasions of difficulty hereafter. The clauses of this Bill are so intimately connected that it is almost impossible to offer observations upon one of them without touching upon the others. I may be allowed to say, therefore, that the proposition to give retrospective compensation is one that the House should not tolerate for one moment. We have heard from many Members of the House what has been done in different counties. There have been subscriptions, insurance societies, and arrangements suited to the ideas of the different gentlemen and farmers in the different counties, and compensation of one kind or another has been made. That is infinitely better than what is proposed by this Bill. There was not a single landholder or farmer who anticipated, until the Bill was introduced, that the Government measure would contain a provision for retrospective compensation. It would be well that the Government should consent to have that clause left out of the Bill. I have heard of a case to-day in which a farmer, who was very foolish, bought three or four beasts that were not in good health when he bought them. He introduced them amongst sixty or eighty head of cattle, and lost nearly the whole of them. He had a sympathizing and generous landlord, who told him it was a bad thing, a great misfortune, and said he would help him to pass over the difficulty. But though this farmer was a foolish man in buying sickly stock, he was a man of great independence and pluck. He confessed to the landlord that he had done a foolish thing; but that it was entirely his own fault, and that being his own fault he would carry himself through it, and would not ask the landlord to give him anything. I see an hon. Gentleman who looks very much as if he wished his tenants were of the same mould. In the generosity of that landlord, and the independence and courage of that tenant you have, if you like, the model for the best class of landlords and tenants throughout the country. I beg the House also to bear in mind what was said by my hon. Friend the Member for Westminster (Mr. Stuart Mill) as to the question of the extent of the compensation. I protest against the Chancellor of the Exchequer coming here in two characters. My right hon. Friend refines to a sixpence in a speech on the Budget. If we want to get rid of the most trumpery licence duty, the fate of the whole country might be depending upon it. But now, because this is a matter of county expenditure — and local expenditure — that does not come into his great speeches; he has not a word of sympathy for the persons who are to pay the tax, nor does he seem to care how much the House is likely to saddle the country with. I ask the Chancellor of the Exchequer to give us his opinion on this matter. He ought to be as much an economist now on a question of local taxation as if the measure had reference to the taxation of tea or coffee, or to the expenditure for the military or civil service. I have spoken fully; therefore, although it would be possible to say a great deal more, I will just in a few words of summary put the matter to the House thus:—This Bill has been brought in in great haste, and under a feeling of great excitement. The haste is apparent in the fact that there are almost as many opinions on it in the House as there are persons. Clauses are postponed, Amendments are proposed, and possibly in this emergency a Bill satisfactory to no one, and least of all to those who brought it in, will be passed. The districts not being known no one in the country can discuss it, nor will an opportunity be afforded for their doing so. It is not put off till the Easter holidays—that every one may see it. It would not be wise that it should be so; but it is a thing unusual that we should go on from day to day with the different stages of a Bill of this kind involving a large amount of taxation—it may be an entirely new kind of taxation—for a purpose hitherto never recognized by this House. I have had no communication from Birmingham. I have had no communication from Lancashire, except from one person, who wrote that surely the Members for his town will not be likely to let a Bill of this kind pass in a hurry, involving as it does this new principle. The House will not do wisely if it passes the compensation clauses of this Bill, goes through Committee with it to-night, and reads it a third time to-morrow, it having been read a second time so recently as yesterday. Avoid this precipitation in a matter of taxation about which the great body of the people know nothing, having never been consulted in the matter. I have only further to move that this clause, and the other clauses respecting compensation, shall be postponed for the further consideration of the Government.

THE CHANCELLOR OF THE EXCHEQUER: Sir, my hon. Friend has just laid down the principle that the clauses of this Bill are so connected together that it is impossible to discuss any one of them without considering the others at the same time, and I must say he has acted very largely in accordance with that principle. I must, however, be allowed to say, that if his impression be shared by many Members of the House, we have but little chance of gaining the object most of us have at heart—namely, that of passing this Bill quickly. Differing respectfully from him, there appears to me no reason whatever why the various questions, doubtless very important ones, referred to by my hon. Friend, should be discussed on the consideration of the clause before us. My hon. Friend has spoken upon the amount of compensation, if any, that should be given; upon the sources from whence that compensation is to be raised; upon the question as to whether the Bill ought to be hastily passed; upon the principles of isolation and of slaughtering, and of the manner in which I am disposed to treat the question. Now, these questions are entirely distinct from each other. In the first place, I will answer the question addressed to myself. My hon. Friend says I have no interest or care for any expenditure, so long as such expenditure is local and derived from local resources. To show how far that accusation is from being correct, I will at once acknowledge that, in my opinion, both my hon. Friend and the hon. Member for Westminster (Mr. Stuart Mill) hit a blot in the Bill when they pointed out that the rate of compensation for the slaughter of sick animals was too high. Still it would be a great mistake, in my opinion, to fix the rate of compensation in such cases too low. The hon. Member for Westminster says that the outside value of the sick animals is to be ascertained by taking the ratio of the number of animals that recover to those that die. No doubt the value of the animal might be easily ascertained in that manner, but there is something else to be considered before you determine this question. You must take into consideration the natural tendency of the farmer in the great multitude of cases to hope too much. He calculates too favourably on the chances of his own cow or beast recovering where other people's cattle have died. It is not the interest of the farmer alone we are now considering. We wish to offer an inducement to him to come forward and make known directly any cases of disease which may occur among his cattle. Under these circumstances, it would be useless to fix the amount of compensation at too low a rate; while, at the same time, I admit that there is considerable danger in fixing it at too high a rate. We should not only have the magistrates meeting in quarter sessions, but the tenant-farmers acting with them, and it might have the effect of slackening their energies; but I think we ought to wait until we come to that portion of the clause. I hope my hon. Friend will permit us to go on with the clause before us before he calls upon us to consider what reduction shall be made in the amount of compensation to be paid for the slaughter of sick animals. But I do not think it would be necessary or very wise to allow in the case of the slaughtering of such animals so high a compensation as that fixed by the Bill. Upon the question of slaughtering sick animals I cannot agree with the hon. Gentleman, who says that it is only necessary to isolate a farm to prevent the spread of the disease. In a part of the country with which I am familiar the traffic has been stopped, and the farms have been altogether isolated, yet the disease has flown from farm to farm. To use the form of expression adopted by the right hon. Gentleman the Member for Calne (Mr. Lowe), when the volume of infection reaches a certain point the air becomes impregnated with it, and you cannot trust to isolation as a protection. It appears to me, I confess, that the slaughtering provisions in the Bill lie at the very root of the matter. In point of fact, if it were not for these provisions there is no reason why we should be assembled here at all. It is in order to pass provisions of this character that this Bill has been introduced. With regard to the source from whence this compensation should be provided, that is a question which will arise upon the clause to which my hon. Friend has referred; and the question of compensation is one entirely different in character and principle from that of the source from which that compensation is to be provided. I submit that there are only two questions before us arising out of this clause. One is whether you are to provide for the coercive and compulsory slaughtering of infected cattle; and the other is whether you can so provide without providing also that compensation shall be given. It appears to me that these two propositions so limited hardly admit a dispute. That being so I will not trouble the Committee longer, but will wait until we come to the terms of compensation, in which I think some modification may be made.

Mr. BRIGHT: I do not wish to delay the progress of the Bill; but I thought that upon the two points as to the amount of compensation and the sources from whence it was to be derived, considering their importance, and that there was a difference of opinion in the House, it might be as well for the Government to take another day for their consideration, so as not to commit the House to a hasty determination. The House will doubtless divide upon the question of the sources from whence the compensation is to be derived, and the majority can then take whatever course it thinks fit. But I think it would be wise of the House to alter the Bill in that respect. I will now withdraw my Motion.

Motion, by leave, *withdrawn.*

Mr. JOHN HARDY said, that the hon. Gentleman the Member for Birmingham was mistaken in thinking that simple isolation of a farm would preserve it from the disease. He differed from the hon. Member in the opinion which he entertained, that the slaughtering of cattle was merely for the benefit of the farmer. He might mention an instance which occurred in the county with which he was connected, in which a farmer, finding that the plague had broken out amongst his cattle, slaughtered the whole of them in order that the disease might not spread throughout the district. The Chancellor of the Exchequer seemed to think that the compensation proposed was too high. The hon. Member for Westminster considered that it was much beyond the value of the animal. Now he (Mr. Hardy) thought it improper to take the valuation of an animal in a dying state, which might not be worth the value of its skin. When a man had kept cattle through the winter and they were ready for market, £20 would scarcely pay for the value of any one of them. When the disease made its appearance on a farm everything was thrown into confusion, and nothing could compensate the farmer for the failure of his trade. The hon. Member for Birmingham seemed to have decided in his own mind against compensation altogether. It was very hard that it should be levied on those who had suffered. It ought rather to be levied upon those who had not suffered. The hon. Member for Birmingham had blamed the farmers for not insuring; but he could tell the hon. Member that in one county they had insured, and had at one time between £3,000 and £4,000 in hand, which had all been swept away in consequence of the breaking out of the cattle plague. In another part of the same county, a society had been established to meet the losses arising from the disease, and great credit was due to the lord-lieutenant for the efforts which he had made in procuring its formation. With regard to what had been said by the hon. Member for Westminster (Mr. Stuart Mill), that the farmer might be induced to slaughter his animals in order to obtain the price that would be paid as compensation for them, it might just as well be argued that a carpenter would be induced to burn his tools for what he would get in his insurance upon them. He did not think the compensation proposed was at all too much, and he hoped that any compensation voted by this House would come from the Consolidated Fund, in order that the whole country might join in paying it.

Mr. WALDEGRAVE-LESLIE proposed to insert the word "immediately" or the words "with all convenient speed," after the words directing all animals affected with the plague to be slaughtered. If the diseased animals were to be slaughtered, there should be no delay about their slaughter, any more than about their burial, which the succeeding clause directed to be done as soon as possible.

Sir GEORGE GREY said, that the word "immediately" was a relative term. To what would it have reference in this clause? Immediately, after what? If they attempted to be very minute they would defeat the object of the Bill.

Mr. BRIGHT said, he wished to ask whether hon. Gentlemen were desirous of adding to the force of the words compelling a slaughter. He saw in the public papers that some gentleman had discovered a treatment for the disease which was supposed to have been effectual in several cases. If an intelligent farmer found that a certain course of treatment was successful, would it not be a monstrous proposition to say that he was to slaughter his diseased cattle at once under a heavy penalty? Certainly this was an odd sort of legislation.

Amendment *negatived.*

COLONEL SYKES said, a remark had been made on the other side of the House, that those who had not suffered ought to pay. But nine-tenths of the population had suffered by the cattle plague. Had they not suffered by it in the payment of at least 2*d.* a pound more for meat, and in the enhanced price of milk and butter? Why should they be called on to pay over and over again? He begged to move, as an Amendment, the omission of all the words after the word "such," for the purpose of inserting the words "amount as is named in the schedule," instead of the words, "not exceeding twenty pounds as may equal two-thirds of the value of the animal."

An hon. MEMBER said, that there were many cattle insurance associations in different parts of the country. Were the farmers to be compensated from those funds as well as by the Government? In that case they would give their animals the rinderpest at once, because they would get a double compensation.

SIR GEORGE GREY said, he did not see the slightest advantage in putting off the question of compensation till they came to the schedule.

MR. HUNT said, he did not want a maximum amount for every animal, but a maximum amount for each class of animals. He therefore thought it desirable to have a schedule. He was of opinion that the clause should contain words to the effect, "not exceeding in any case the amount provided in the schedule to this Act with reference to beasts of the class to which the certificate relates." He thought it was desirable to have a schedule in which the amount of compensation should be divided into classes, taking yearlings, two-year-olds, three-year-olds, and, perhaps, making a difference between milch cows and steers as separate classes. He also called attention to the fact, that Clause 13 related not only to neat stock, but to sheep, lambs, goats, and swine, the interpretation clause providing that the word "animals" should relate to all those beasts, and that only the word "cattle" should relate to neat cattle alone. In that case, if there were no distinction between the separate classes, they might have to pay as much as £20 in compensation for the loss of a ram. A bull calf of a few days old, if it came of a valuable breed, might be worth 100 guineas. Were they to pay only £20 for it? He should support the Amendment of the hon. and gallant Member for Aberdeen.

LORD ROBERT MONTAGU said, that if they were to go into all these details they never would get on with the Bill. Clause 17 provided that the local authority might require the value of any animal slaughtered under the Act to be ascertained by officers of the local authority, or by arbitration. He thought the object of his hon. Friend (Mr. Hunt) would be attained by this clause. He did not think there was any fear of more than the value of the animal being given, seeing the source from which the compensation was to come.

MR. HUNT said, he did not think it would be right to pay the value of every animal. They ought to take the average value of an animal of the class.

MR. J. B. SMITH said, that in Warsaw thirty-five Russian roubles were given for a bull, twenty-five for a cow, and fifteen for a calf—a much lower rate than that proposed by the Bill.

VISCOUNT CRANBOURNE said, he thought his hon. Friend had forgotten what the question of compensation meant. The object of it was to induce the owners of cattle to declare the disease. It was not merely to compensate him but to save the country. Now, if the owner of a valuable beast knew that he would get nothing like the value of his cattle after they were slaughtered, of course he would not declare the disease, and the object of this Bill, to stop the spread of the plague, would be foiled. If we were to go to the precedents of foreign countries, which in the interest of the agricultural community was much to be desired, because abroad agriculturalists were better treated than in England, he thought it would be preferable to have recourse to Belgium than to Poland. In Belgium the amount of compensation, according to the declaration recently made by the Minister of State, amounted to more than the value of the animal itself, for two-thirds of the value was allowed to the owners, who were also permitted to sell the meat when not unfit for human food. The result was that in the majority of cases the compensation amounted to the value of the animals. If the hon. Gentleman had devoted as much attention to the subject as it was to be wished he had done, he would have found that the great majority of the animals killed are perfectly fit for human food. The Commission, indeed, was wholly unable to discover any case of human disease resulting from the consumption of this meat. He particularly wished to direct the attention of the right hon. Gentleman the Home Secretary to the example of Belgium, because it showed that the result of giving large compensation had been that the existence of the disease had always been promptly declared, and when it had broken out it had been extirpated with ease, so that Belgium had almost entirely escaped the calamity.

SIR ANDREW AGNEW said, he should oppose the Amendment. If it were proposed that the compensation should be divided into classes it ought to be done at once, and the Bill proceeded with.

MR. NEWDEGATE said, he trusted that the provision would be so made, that if an animal destroyed were of any value afterwards it might be sold, and allowance made for the sale in the compensation which was provided. He also called the attention of the hon. Member for North Northamptonshire (Mr. Hunt) to the fact that different kinds of stock in different counties were of different values. He thought provision should be made for that, and that they ought to have two scales, so that the local authorities might be allowed to distinguish between the different values, and place the animals in those different scales. If they only laid down one scale it would not be found to work properly.

SIR EDWARD COLEBROOKE said, he should support the Amendment of the hon. Member for Aberdeen, because it embodied the recommendation put forward by the hon. Member for Birmingham—a recommendation which deserved a greater amount of consideration than it had met with in the House. When the right hon. Gentleman (the Secretary of State for the Home Department) announced this measure, he said it would be a matter for the consideration of the House whether it might not be desirable to deal at once with those parts of the question in which all were agreed, and postpone those with regard to which there existed differences of opinion. Now, these questions of slaughtering and compensation involved such difficulties that he would even now press on the Government whether they ought not to be embodied in different Bills, and whether it would not be desirable to deal at once with that portion of the subject on which a large proportion of the House was agreed. He was surprised at the right hon. Gentleman (the Chancellor of the Exchequer) asking whether isolation had not failed. He might, perhaps, refer to localities where the system of isolation had led to a great diminution in the amount of disease; but then, on the other hand, it might be asked whether the system of slaughter had not failed. The Report of the Royal Commission gave a history of ten years of the disease in the last century, when upwards of 180,000 animals were slaughtered without any signal result, and the disease at last died out of itself. As to the system of compensation it was one of despair, and declared the utter inutility of any remedial system. The right hon. Gentleman (Sir George Grey), who brought forward the Bill, remarked that there had been a great change of opinion on the subject during the last fortnight. In his belief public opinion was changing at the present moment. Hitherto public opinion had been chiefly founded upon the solitary case of Aberdeenshire. Well, in that county the disease had broken out again. It was all very well to say you can slaughter, and you will put down the disease; but the question was whether, by adopting that plan, the disease could be put down altogether. For his part, he did not believe it could. Did hon. Gentlemen read the newspapers, and had they seen a letter written by the Member for Kincardineshire, and which appeared in *The Times* of yesterday? In that letter the hon. Gentleman gave an extract from a communication he had received from Kincardineshire. It was as follows:—

> "Farmers here have generally been in favour of the 'stamping out' on the same plan as in Aberdeenshire, but within the last week a change of opinion has taken place, in consequence of the successful treatment of the cattle disease by Mr. Alexander. Mr. Garland, of Cairnton, has followed the same treatment; he has a stock of seventy-five, forty of which were attacked, and only one died. In my parish, of which I am convener of the plague committee, I find one herd all recovering from similar treatment, while, at another farm, where no salt had been given, but as much straw and turnips laid before the beasts as they could eat, all had died. As far as our experience has gone, all who have used salt for some time and liberally have had no losses. I have been using it for three months, and have had only one case. I killed the beast because I was in front of the advance, but I believe it would have recovered."

In Aberdeenshire there was a case where a man was foolish enough to place a diseased animal in the same byre with fifteen others which were not suffering from it. Now, that was a natural result of the "stamping out" principle, which taught people to be negligent. He had that morning read an account of a meeting held at Ayrshire, at which one gentleman said—

"We find the treatment so successful in some instances that we are not at all in favour of the killing principle now."

It was clear that public opinion was undergoing a change even now—in Scotland, at all events — and he, for one, would not subscribe to the doctrine that we ought to use the language of despair, and adhere to it as if it was our only resort. The House ought, however, to stick to that part of the Bill on which all were agreed. In his own neighbourhood he did his utmost to teach the people self-reliance. Local assurance societies had been formed, both there and in other parts of the county, and had met with signal success. If a large amount of compensation were granted in addition to what was received from these societies, people would be anxious that their cattle should catch the rinderpest. [*Cries of* "No, no!"] At all events some persons would, though the great body of the owners of cattle might not be so unscrupulous.

Mr. BANKS STANHOPE: I think that it would be comparatively easy for those Members of the House who are connected with the farming interest to draw up a compensation schedule, stating a maximum sum per head to be allowed for cows, for three-year-olds, for two-year-olds, for one-year-olds, and for animals above and under six months. Any arrangement such as that alluded to by the hon. Member (Mr. Hunt) in which £20 would be given as compensation for a bull calf would be objectionable. Calves often are worth £40, £50, or £60; but at the same time great dissatisfaction would be engendered if a difference in favour of fancy cattle were made as compared with tenants' cattle. After what has passed, I must say a few words on the subject of compensation, but not in the spirit of the hon. Member for Birmingham, who, whatever his own feelings may be—and all must give him credit for honesty—has on two successive days discussed a subject which is felt to be outside of party in speeches more provocative of angry feelings than any speeches I have ever heard. Yesterday I think the hon. Member for Birmingham could not have read the Bill at all, for he talked of farmers receiving compensation for losses. They do not ask for that, and the moment it is admitted that they do not seek to be secured against accident or misfortune, all that the hon. Member for Birmingham has said on that head vanishes into air. The farmers do not ask the country to pay for any cattle that die by the visitation of God; but they do ask that every animal slaughtered by Government or by local authority under its direction should be paid for. The central Government has no right to tell him what to do with the animals upon his farm, except at a particular time and for a particular reason. The approach of a meat famine and the necessities of State constitute such particular time and reason, and these facts being admitted, and the slaughtering being allowed to be not for the good of one class, but for the good of all, the farmers have a moral right to demand payment, not of a proportion of the value of the animals slain, but of their whole value. Their leave is not asked; they must kill, whether they will or no. The hon. Member for Birmingham has talked as if the question affected only the rich landlord. ["No, no!"] I beg pardon; the hon. Member instanced a landlord with an income of £15,000 a year, and asked if the country was to make up his losses. But the question does not affect rich landlords only. There are districts in which, practically, the landlords are not so rich as the tenants under them. In the county where I live there is a perfect unanimity; but, curiously, in the other part of the county an enormous proportion of the losses has been sustained by the small tenants and by large farmers who live under landlords who are not practically so rich as their tenants. It is not, however, a question between a big man and a little man. The farmers ask for nothing as a gift. They ask only for that to which they have a right. If this House, in its wisdom, declares that a man's farm shall be entered and his cattle slain, the demand is that he should be paid for them. The money so paid is not a gift, and the farmers will not thank the House for it; they will admit that the action of the Government is necessary; and because it is, they will give all the assistance they can to the Government. But I must ask, and I will ask the hon. Member for Birmingham with greater pleasure than I could ask any other person, if the consumer has no interest in the matter. Many of the hon. Member's constituents are hardworking men, artificers in iron, whose heavy toil makes animal food a necessity. If its price rise to 1*s.* or 2*s.* a pound, what increase must be made in the wages of the artificers of Birmingham to enable them to eat that amount of flesh meat which is necessary to the maintenance of the health and strength required in their work? I was quite astonished to hear the hon. Member say we were creating a panic. [Mr. BRIGHT: I said—Legislating under a panic.] There is no panic—our opinions were formed two or three months ago. The alarm that was felt arose from the consumers, who are gradually becoming aware that their interests are identical with those of the producers. But I assert that the House by carrying this measure will prevent a panic. But if the hon. Member succeed in dividing one class from another, there will be a panic in less than six months; and you will find, as is invariably the case, that those who ridicule the danger are the first to lead the panic. I could not follow the argument of the hon. Member for Westminster (Mr. Stuart Mill) as to the amount of the sum to be paid, but understood him to object that it was too high. But it should be remembered that, when a man is told to slaughter, he has no chance of saving his cattle, a proportion of which, if allowed to live, might recover; but by allowing nine out of ten to die naturally, a focus of infection would be permitted which might carry off his neighbour's cattle. Having been a breeder of shorthorns, I know the value of a herd and the difficulty of regaining one. It requires twelve or fourteen years, or more, and a man has, therefore, every inducement to keep his herd together, and his animals alive as long as he can. It is a delusion to suppose that the increased price of meat will compensate the producer, because the stock of young animals will be reduced, and store stock will rise enormously in value. Besides, by losing animals, he will be prevented from farming his land well. Wheat requires manure, and the making of manure necessitates the consumption of straw, and I have advised a farmer who has lost his cattle, but had his farmyard full of straw, to buy as many swine as he could, and put them into the yard, in order to get the straw upon the land. That, however, is very bad farming. And if the system were adopted on anything like a large scale, the consequences must be very serious. I assert confidently, that if to any considerable extent the number of cattle in this country were diminished, and the opportunities of having manure made in the farmyards fell off in consequence, the area of land under wheat must be diminished to a proportionate extent. The double catastrophe would thereby be entailed upon the country of having to depend to an increased amount both for meat and food upon foreign countries, while the supply of milk at home would be also greatly restricted. I put it to hon. Members opposite, representing large and populous constituencies, what would be thought of the wisdom of Parliament if we were instrumental in creating or prolonging a state of things in which we might have at once both a meat and a wheat famine. As regards healthy cattle, there is an apparent harshness in the course which has been recommended; but I am persuaded that to extirpate the disease, it is best and cheapest to kill all that are likely to die before they catch the actual disorder, for whatever their sale produces, will be so much saved from the county rates. The insurance societies alluded to by the hon. Member for Birmingham, are altogether beside the question. Within my own memory, insurance societies have existed till one fine day pleuro-pneumonia made its appearance, and they all broke. Those were societies formed upon the best possible rules, but no insurance companies can be expected to make head against a calamity which sweeps and devastate the whole land. Upon this question I can assure the Committee that it is the desire of the representatives of the agricultural interest to act fairly and honestly. Let old differences between town and country be forgotten; let the consumer join with the producer in devising the best remedy under the circumstances, and let us all join in aiding Her Majesty's Government to prevent, by every means in our power, the further progress of this foul disease which is spreading destruction and desolation through the land.

SIR GEORGE GREY said, his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke) had suggested that they might proceed with those portions of the Bill upon which they were all agreed. If there was one point more than another on which such agreement appeared to exist, it was that a system of slaughter in the case of diseased animals should be adopted. That opinion had been expressed in the most unqualified terms by the Royal Agricultural Society, the conference at St. James' Hall, the Scottish Farmers' Club, the Highland Society, and by the agricultural interest generally. Now, nobody could recommend the adoption of a system of slaughter without some system of compensation. The only question, therefore, was whether the subject of compensation should be disposed of at once, or its consideration postponed till they came to the schedule. He must say he thought it was better to dispose of it at once. He had been asked to express an opinion whether owners whose cattle were slaughtered would be entitled to recover the value from insurance offices in which they might be insured and from the county rates as well. He apprehended that if there were still in existence any societies which would pay for loss of cattle occasioned by death from the rinderpest, no claim could be established against them save for actual loss, and if the owner were paid out of the county rates for the cattle belonging to him which were slaughtered he would have suffered no loss, as he would have been compensated for it.

COLONEL WILSON PATTEN said, he thought it would be a great mistake and a great evil if they made this in any way appear a compensation Bill. It would give dissatisfaction to every agricultural interest, and everybody connected with land ought to take care that not a shadow of pretence was suffered to exist for calling it a compensation Bill. If his right hon. Friend the Chancellor of the Exchequer had only followed up his observations by making some definite proposal as to the amount, he thought the question might have been easily settled. The question of compensation ought only to be entertained so far as it bore on the means of inducing the proprietors of stock to assist in getting the cattle disease extirpated promptly by the most stringent measures, that being the sole object of the Bill. If they carried the money question at all further than this, they placed themselves in a false position. The payment of so large an amount as two-thirds of the value might give a wrong impression as to the true object of the measure.

THE CHANCELLOR OF THE EXCHEQUER said, it was very desirable to detach the various points of the dicussion, and to keep them apart from each other as much as possible. They were not now discussing the amount of compensation to be awarded, but simply whether it should be dealt with at once or deferred till they came to the schedule. Having settled that point, two others remained—namely, that raised by the words "not exceeding £20," and next, whether the words "two-thirds" should be adopted.

COLONEL SYKES said, the hon. Member for Northamptonshire (Mr. Hunt) having improved upon the phraseology of the Amendment, as originally submitted, with the leave of the Committee he begged to withdraw it.

Amendment *withdrawn.*

MR. HUNT moved the omission of the words "not exceeding £20," and the insertion in their place of the words—

> "But not exceeding in any case the amount specified in the schedule to this Act in reference to animals of the class comprising that to which the slaughtered animal belongs."

SIR JOHN TROLLOPE said, he thought they ought to come at once to some definite conclusion as to whether they would name a maximum price for all beasts slaughtered, or whether a fixed proportion should be allowed of the value in each case, whatever that value might happen to be. The question was a very simple one, but they must face it at last.

Question proposed, that the words "not exceeding £20" stand part of the clause.

SIR FITZROY KELLY said, he wished to know on what principle that sum had been fixed?

THE CHAIRMAN said, that the Motion made by the hon. Member for Northampton was that the words "not exceeding £20" be omitted. If it was intended to move subsequently the insertion of any words instead of £20, it might be convenient to put the Question on the words "not exceeding," but if it was the wish of the Committee that he should put the Question on the words "not exceeding £20," he should do so.

Question put, That the words "not exceeding £20" stand part of the clause; put, and *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, that as the clause now stood it left no discretion to the persons whose duty it might be to ascertain the value of the animals. He was of opinion, that independently of the question raised by the hon. Member for Westminster there ought to be some discretion in the matter. In Aberdeenshire one of the rules of the association allowed the owner to claim an indemnity of two-thirds of the value of his cattle that died of the disease. But when they took into account the great difference as to the chances of an animal recovering when seen in the first attack and when it had reached the last stage of the disease, it was clear that there must be a great difference in the estimate of its value at those different stages. He did not see how to meet that except by introducing the words "not exceeding." Then came the question whether they should leave the words "two-thirds," or adopt some other words. His hon. Friend had ascribed to him a position which many other hon. Members were better able to assume. His own opinion certainly was that words "not exceeding one-half the value" would be a fair arrangement. That would be, he thought, a liberal inducement for farmers to declare the existence of the disease in their stock, and would leave power to the local authorities to adjust the precise value in each case. Though he attached great weight to the Aberdeen precedent, yet he thought it would mislead them if they followed it to the letter. He understood that in Aberdeenshire there were two associations founded on a voluntary basis, one for the assurance of cattle, and the other for the extinction of the plague, and that was the reason they had placed their rate of compensation so high. He moved, therefore, to omit the words "two-thirds," and to insert the words "a sum not exceeding £20, and not exceeding one-half the value."

MR. BAILLIE COCHRANE said, he wished to ask were animals to be slaughtered compulsorily, and yet compensation be paid to only half the value?

SIR FITZROY KELLY said, he had heard with great surprise and regret the proposition of the right hon. Gentleman to alter the Bill of the Government in deference to the views of the hon. Member for Birmingham. It was now sought to cut down the compensation which might be given to a person whose beast was destroyed against his will, to a sum which might be far less than the value to him of that beast. Now, in what position did they place the owners of cattle in the county which he had the honour to represent? If no Act was passed at all, they left the owner of cattle to do what he could for himself. In Suffolk they had a system of voluntary assurance, under which any one whose cattle died of the plague was entitled to compensation to the amount of two-thirds the value of the beast. But now it was proposed to pass an Act by which officers of the Government could go to a man's farm and kill his cattle, and yet they would not compensate him to the value of three-fourths or two-thirds, or even one-half, because by the substitution of words which were not in the clause as originally framed it was absolutely left open to those who had to assess the compensation to award less. What would be the consequence? If there was no Act of Parliament, under the voluntary system of insurance which existed in Suffolk a man would be entitled to three-fourths of the value. If the value was £120, he would be entitled to £90. Well, the House stepped in, and under the irresistible power of an Act of Parliament they put this man's cattle to death, deprived him of his claim against the insurance association, and, instead of £90, the utmost he could receive would be £60—it might be even less. He would not confine these observations to the county of Suffolk; they would apply to any county where there might be an assurance association. If, instead of allowing a man to do what he liked with his own, to take his chance of a cure—and that there was some hope they had heard from the right hon. Gentleman the Member for Calne yesterday, and they saw from the announcements in the newspapers today—if when, perhaps, no mischief might be done, and the cattle might recover either by the remedy of Mr. Worms or some other person, they would not allow the cattle to be cured, but forcibly slaughtered them, they would do a grievous wrong by laying it down that the compensation should not exceed one-half. He would venture to say that they ought to adhere to the decision of the Government when framing the Bill, and should not reduce the amount below two-thirds.

MR. BARING said, that the difficulty set up by the hon. and learned Member would in no wise be affected, whether the compensation were fixed at two-thirds or one-half. It would be the same if three-fourths of the value were fixed upon as the maximum of compensation. The difficulty might be overcome by an alteration in the rules of the insurance society, and they could make their rate of compensation accord with the rate of compensation fixed by this Bill.

SIR JOHN PAKINGTON said, he very much regretted the course taken by the right hon. Gentleman, which was evidently founded upon the fallacy conceived by the hon. Member for Birmingham, who had asserted that the Bill had been framed solely for the benefit of cattle owners. If the assertion were a correct one, then the course taken would have been justified; but, as a matter of fact, the Bill established a great principle of public policy. When men were called upon to destroy their property for the public good, they should be fairly recompensed. It was true that cattle were depreciated in value immediately they were attacked by the rinderpest; but it was not proposed to act upon the principle of restoring the value of that which was almost valueless. The principle offered for the acceptance of the House was that an inducement should be offered to owners of cattle to bring up their possibly diseased stock that the inspector might deal with the animals according to law. The measure under consideration must, in his opinion, be justified upon that principle of public policy or not at all; and he earnestly urged the right hon. Gentleman to hold out a liberal inducement to the owners of cattle to declare when their stock was diseased.

Mr. DENT said, in his opinion, as a practical man, knowing something of the value of cattle, one-half of the value of a sound beast was a sum sufficiently ample to induce an owner of cattle to come forward. Indeed, £20 was the highest value that could reasonably be placed upon any animal except bulls, and he did not think the House should be influenced by the prices of high-bred stock, valued according to the caprice of fashion. He thought the proposal of the Chancellor of the Exchequer was a very fair one. Many farmers had complained to him of shameful oppression in having their animals slaughtered without compensation, but he had never met with any one who would be a stickler for having more than half the value of the animal.

The SOLICITOR GENERAL said, he quite agreed with the principle of a liberal compensation, on the ground of compulsory slaughter. When a man's property was taken from him for the purpose of carrying out some public work, he was given more than the value by way of compensation perhaps 20 per cent more, because of the compulsory sale. The principle upon which that practice was founded should not be lost sight of in the case under consideration. He also thought something should be done to induce farmers to give information. Then they came to the application of the two principles. The right hon. Baronet had admitted that the value of a beast attacked by rinderpest was reduced to next to nothing. One-half of its value when sound was, in his opinion, an ample advance upon next to nothing, and would, no doubt, act as a powerful motive upon the mind of every owner of cattle.

Mr. A. W. YOUNG said, the question of value had been argued as though the animals to be put to death would be healthy ones, but this Bill would give a compensation to men who had diseased animals. He read the Bill as proposing compensation in accordance with the value of the beast when the inspector came to it. He was apprehensive that the clause, as it stood, was not quite distinct, and left it in doubt whether the value allowed was to be half the value of the sound or of the diseased animal. It could not surely be intended that they were to take the value of the animal after it was seized by the disease.

The CHANCELLOR of the EXCHEQUER said, he would suggest the insertion of the words "when sound." That would make the matter quite clear.

Sir JOHN TROLLOPE said, he would remind the House that the assessment was not made by the Government but by the local authorities, who would, no doubt, be a mixed body of ratepayers with some farmers among them. They would certainly not fix a higher value than was just, because the compensation would come out of their own local rates. He certainly thought the right hon. Gentleman would do well if he allowed the clause to stand as it was.

Mr. W. DUNCOMBE said, the phrase "next to nothing," in reference to value, had been used. But in the county he had the honour of representing a mild form of the disease existed. Many animals which had been attacked afterwards recovered; and it would be unfair to the owners of these to reduce the compensation proposed from two-thirds to one-half. It should always be borne in mind that an animal may possibly recover from the disease if attacked. He very much regretted that the Government had listened to the solicitations of the hon. Member for Birmingham. He certainly never expected to get much from the right hon. Gentleman for the agriculturists, but he had hoped for a more liberal suggestion than that last made. He did not expect the right hon. Gentleman would have proposed to dole out the moiety of compensation in any meagre spirit.

An hon. Member said, that while agreeing with the proposal of the Chancellor of the Exchequer, he would suggest that for the words "not exceed," "as may equal one-half" should be substituted.

Mr. BONHAM-CARTER said, he hoped the right hon Gentleman would press his proposal. He was sure the Amendment would meet the views of the local authorities.

Mr. DUTTON said, he thought that two-thirds of the value of an animal, compulsorily slaughtered by a Government inspector, was certainly not too much to offer its owner. That was the proportion fixed in Aberdeenshire. At the same time, he thought it was just to limit the amount of compensation to be paid for any single animal destroyed to a sum not exceeding £20. It was true that there were many animals in the country of far greater value than £20, but such fancy animals were entirely in the hands of rich proprietors of stock.

Colonel GILPIN said, that the hon. Member for Birmingham (Mr. Bright) had informed the House that the right hon. Member for Calne (Mr. Lowe) was an authority on every subject. Now, he (Colonel Gilpin) thought that it was the hon. Member for Birmingham who had an opinion on every subject, opinions for the utterance of which it should be remembered the hon. Gentleman had no official responsibility. It did appear that those opinions had great weight with her Majesty's Government, for on that night they had seen the Chancellor of the Exchequer yield on the important subject of compensation to the advice of the hon. Member for Birmingham. He had already heard something about divided counsels in Her Majesty's Government, and in the change which had taken place the House had an example of them. He entered the House that night with the full intention of giving his support to the Bill introduced by the Home Secretary, but he should oppose the change which the Chancellor of the Exchequer, yielding to the advice of others, proposed to make in it.

Mr. NEWDEGATE said, that the hon. Member for Birmingham had advised the farmers to protect themselves from the losses which they may suffer from the cattle plague by mutual assurance societies. The hon. Gentleman was probably not aware that in Warwickshire there were many mutual assurance societies in operation, largely profited by the farmers of that county. These assurance societies —though compulsory slaughter was not enforced—paid to the owners of all cattle destroyed by the plague the very sum which the Government had originally proposed—namely, two-thirds of the value of each animal. There surely was no reason for the Government reducing the scale of compensation below that paid by the assurance companies.

Lord JOHN MANNERS said, he must call attention to the strangeness of the course pursued by Her Majesty's Government. After one of the illogical and violent speeches of the hon. Member for Birmingham, the Chancellor of the Exchequer suddenly, without notice, announced his intention to alter the proposal of the Government. But the Home Secretary, who was responsible for the contents of the Bill, had not given the slightest inkling of his intention to yield on this point, or any indication that he had based his calculations upon an erroneous principle. The right hon. Gentleman stated that those animals which were to be slaughtered were purchased by the State, and called upon the Committee to decide whether that principle was right or wrong. But was the House now to be told that the principle on which the Government had acted was erroneous, and that they were wrong? The Government were prepared to obey the hon. Member for Birmingham, who seemed on this and other occasions to be virtually the Government. This was a surprise on the House of Commons, and he hoped that the Committee would vindicate the conduct of the Government up to within half an hour ago, and carry this clause as it originally stood in the Bill.

Mr. BRIGHT said, the noble Lord ought to bear in mind that he had made no proposition to the House, and that the proposition of the Government received the support of the hon. and gallant Member for North Lancashire (Colonel Wilson Patten), whose opinion on the subject was as valuable as that of any other Member. The hon. Member for North Warwickshire (Mr. Newdegate) said the insurance association of that county gave two-thirds as compensation; but there it was given in return for a premium of insurance which the farmers had paid. He maintained that it was a monstrous proposition that there should be paid out of the rates the same proportion as was given in return for premiums. He hoped the Committee would accept the proposition of the Government, as a reasonable settlement of a question of some difficulty.

Mr. HENLEY said, he had listened with attention to the debate, and thought the reasons advanced by the hon. and gallant Member for North Lancashire (Colonel Wilson Patten) were sound. The hon. Member had said, and with this he (Mr.

Henley) agreed, that they did not ask any compensation for cattle that died, but that if the Government chose to come upon a person's property and to kill some of his cattle for the public benefit, he had a right to compensation. But at what rate was this to be fixed? From his experience, which unfortunately was large, he had come to the conclusion that more than one-half the cattle which caught the plague lived. He, therefore, thought one-half a very fair proportion. But all these questions were very difficult; they knew so little, and were groping in the dark. The cattle which recovered from the disease deteriorated; they did not come out of the disease at the same value as they went in. He thought one-half a fair value.

MR. DISRAELI: Sir, I am much interested in this question in common with the hon. Member for Birmingham and other hon. Members. For myself I have endeavoured to consider it with reference to the country generally, and not merely with reference to my own constituents. Some of them are more deeply involved in this great disaster and calamity than any other body of her Majesty's subjects, for they own or occupy at this moment a greater portion of grazing land of a peculiar character than probably exists elsewhere in England. They have thousands of acres—which not merely in the memory of man, but for countless generations, have never been mown—the richest and finest land in England. Giving credit to the Government from the beginning for determination to act in the manner most advantageous to the public interest, I have endeavoured as far as I could to support it in the course which it should recommend Parliament to adopt. But, notwithstanding this endeavour, I am perplexed by the position in which I am placed; because, within the last twenty-four hours, many Gentlemen on this side of the House have deigned to consult me what course they ought to adopt under circumstances of extreme difficulty, and especially with reference to the clause before us, and the principle involved in it. I have avoided all abstract consideration of the circumstances, and have said to them, "I think on the whole your best policy and duty is to support the Government under the difficult circumstances in their attempt to do their best." It is in some degree influenced by the general counsels which I have thus given that we find ourselves in the present position. But I am astonished at what I have just heard. It is perplexing, and to a certain degree painful—when you have made up your mind to support the Government in the course which they recommended—to listen to a speech of the Minister of the Crown, in which suddenly we are told that Her Majesty's Government have changed their opinions. We have come down to support the Government, and we find that our support is repudiated. I very much regret it. I cannot conceive that Her Majesty's Government could have arrived at their original principle of the compensation to be awarded under this clause in a *harum-scarum* manner. They must have given the matter deep consideration, and that consideration must have been founded on a vast multitude of facts and data. No doubt they had to decide on a question of so pressing a character with a greater quickness and promptitude than they would have been called upon to decide on questions of importance which are not so urgent, but no doubt also they brought to the subject greater exertion of their intellects, and greater energy and determination. It is very much to be regretted that men of abilities and experience, that a statesman in the position of the Chancellor of the Exchequer, especially upon such a subject, of which he is master, had not been able in the Cabinet to arrive at a conclusion of a more consistent character than that brought before the House. The Chancellor of the Exchequer would then have saved his friends, and those who sit opposite to him on this side of the House, who are anxiously desirous to support the Government, from much embarrassment. I cannot say that I have arrived at a different conclusion from that arrived at by the right hon. Gentleman originally. As the Bill was brought in under circumstances of great difficulty, I think, on the whole, it was the wisest proposal that could have been recommended to Parliament. But the Government has suddenly, and within half-an-hour, changed its opinion. I will not go into the merits of the question. I am ready to bow to the opinions of the hon. and gallant Member for North Lancashire (Colonel Wilson Patten), and my right hon. Friend the Member for Oxfordshire (Mr. Henley), which upon such a subject are of considerable weight. If they were not weighty, I cannot say that in a few minutes I should be prepared to change my opinions. But, on the whole, it would be unwise to oppose the opinion which the Government now patronise and uphold. The Government have changed their views; if the Government had come forward and recommended originally the course which they now recommend, though I might have doubted whether it was the wisest course, I have not the slightest doubt that we should not have divided under the circumstances. This act, there cannot now be the least doubt, is one of crude legislation; but I must, on the other hand, point out the immense benefit of acting with decision. The Government have changed their views. I do not wish to sanction that change, and I am inclined to support their previous opinion. But I do not recommend my friends to divide against this change of views. At the same time, they cannot forget the strange manner in which this change of views has been brought about.

Sir GEORGE GREY: I am happy to have to thank the right hon. Gentleman for the moderation of his language during the recess, which was calculated to strengthen the hands of the Government, and I am glad that he is now prepared to give a general support to the Bill. I cannot help thinking, however, that the right hon. Gentleman has attached undue importance to the course now taken by the Government. The alteration, after all, is merely one of detail in the Bill. Having laid the Bill before the House, the Government could not refuse to agree to any modification of its clauses. Influenced by the opinion on both sides of the House, the Government have come to the conclusion that the object of the Bill will be better accomplished by proposing compensation to the extent of one-half rather than two-thirds. This is a matter on which the House has a right to express an opinion, and the Government would have been wrong to say they would insist upon their original proposal. If the object had been only to ascertain the value with a view to compensation it would have been fixed at a much lower rate, but the object is to induce owners to declare the existence of the disease with a view to the destruction of the animals infected. It was urged that this object could be effected by substituting one-half for two-thirds, and the Government accepted the alteration.

Mr. NEWDEGATE said, he would not divide the House.

Words "and not exceeding one-half of the value of the Animal immediately before it was affected with the cattle plague" *inserted.*

Clause, as amended, *agreed to.* [*cl.* 12.]

Clause 14 (Burial of diseased Animals).

Lord ROBERT MONTAGU said, there was reason to believe that the flesh of animals in the early stage of the disease was not unfit for human food. If, however, the present clause passed, the animal would have to be buried, flesh, skin, and all. Would it not be well now the compensation was reduced to a half, to leave some discretion to the local authority to decide whether the flesh might not be used for food?

Mr. BARING said, that admitting such flesh to be fit for food, it would be unwise to allow it to be circulated. The course suggested would be the most likely means of disseminating the disease.

Mr. BRIGHT said, he had heard at Manchester of a case in which a farmer had buried a diseased beast with six feet of soil over it, but earth heaped up above the level of the ground. The dogs had subsequently scratched away the earth and devoured the carcass. He would propose an addition to the clause, enacting that the cattle should be buried with not less than six feet of earth below the natural surface of the ground.

Viscount CRANBOURNE said, he concurred in the suggestion, and wished to know whether any penalty was attached to a non-performance of the provisions of the Act? The local authorities were to "take care" that certain things were done, but no penalties, so far as he had observed, were leviable upon the owners of cattle for breach of the provisions of the Act.

Mr. BARING said, that the penalties were provided for by a separate clause.

Mr. HUNT said, he doubted whether it would be possible in all cases to carry out the Amendment of the hon. Member for Birmingham. In certain soils it would be utterly impossible to bury the animals eight feet deep, which would be necessary if there was to be not less than six feet of earth between the animal and the surface. Not only was such a course impracticable, but it was also undesirable. Within twelve miles of his own neighbourhood the soil was of such a character that the inhabitants objected to the burying of the dead cattle, on the ground that the springs which supplied their wells would be rendered unserviceable. Even the words in the section, as they originally stood, he thought too strict. They ought to have some other and more suitable mode of disposing of the carcases than burying them, and, though he was not prepared to make any proposition on the subject, he thought that the Government might possibly suggest some means of getting over the difficulty.

Mr. AYRTON said, that carcases which could not be buried might be burnt, and that such a contingency should be met by a paragraph in the Bill to that effect.

Mr. HUNT said, he was perfectly prepared to acknowledge the beauty of the theory, but had objections to its being put in practice. He had paid a visit to one of the London cowsheds, and was informed that the carcases of the dead animals had at first been burnt, but the result was so offensive to the neighbours that the proprietors were threatened with indictments for nuisances.

Mr. LOCKE KING said, he thought the clause had better remain in its original form; for all knew that with a sufficient quantity of quicklime the carcases were speedily consumed. He apprehended that in the case alluded to by the hon. Member for Birmingham the dogs had got at the remains of the buried animals because no quicklime had been used.

Mr. HENLEY said, he did not coincide with the summary process by which the hon. Member for Birmingham proposed to surmount the difficulty. In many places they could not dig six feet into the ground without penetrating far into the gravel, and thus affecting the purity of the springs, and the consequence of the burial of thirty, forty, or sixty beasts under such circumstances would be the poisoning of the whole of the people in the neighbourhood—a result which he believed would hardly be advocated by the hon. Member for Birmingham. Wherever the carcases could be buried at a sufficient depth without inconvenience people would be glad enough to do so, because hillocks were regarded with no favour. Where, however, the ground from its nature could not permit of so deep a burial they ought to insist upon having the ground heaped over the carcases, and then trust to the quicklime for preventing further mischief. He hoped that the hon. Member for Birmingham would not press his Amendment, because he believed that its adoption would lead to many inconveniences. To drag cattle any distance, and through other fields, for instance, would be tantamount to incurring great risk of spreading the infection.

Mr. HENRY SEYMOUR said, he thought the object sought by the hon.

Member for Birmingham would be insured by the use of the words "not less than six feet to the satisfaction of the local authorities." He would, therefore, move the adoption of those words.

Mr. BRIGHT said, he was satisfied with this suggestion, and would withdraw his Amendment.

Mr. NEWDEGATE said, he hoped those words would compass the object. He might, however, state that in Cheshire many of the cows had been buried immediately outside the cowhouses, close to the villages, and the stench proceeding from the soil was so great that there were grave apprehensions it might breed a pestilence. He thought that some clause should be introduced forbidding the burial of the carcases in the vicinity of dwelling-houses.

Mr. WYKEHAM-MARTIN said, he could bear personal testimony to the inconvenience and unpleasantness arising from the burial of some of these animals in the Isle of Wight.

Mr. DISRAELI said, he thought that, remembering the varying nature of the soil, the local authorities might be trusted as far as regarded digging the trenches sufficiently deep. In Cheshire the nature of the soil was clayey, and in the Isle of Wight chalky, and in order to avoid the inconveniences alluded to by hon. Gentlemen it would be better to leave the matter to the discretion of those whose duty it would be to see after these matters.

Sir GEORGE GREY said, he would remind the House that the Bill provided for difficulties of that nature by allowing the local authorities to acquire suitable ground for burying the carcases.

Mr. LOCKE KING said, he believed that the provision for enforcing the employment of sufficient quick-lime would be found to answer every purpose. It was the best disinfectant which could be used.

Amendment *negatived.*

Mr. SURTEES moved the addition of the words—

> "Every inspector, cattle overseer, or other officer appointed by the local authority, shall report weekly to the local authority the number of animals that have died or been slaughtered through the cattle plague, and shall certify to the proper burial of such animals, and such Report shall be forwarded to the Home Secretary."

Sir GEORGE GREY said, that any such provisions should be dealt with in discussing those clauses which related to the duties of the inspectors.

MR. DENT said, he wished to know, as many of the cattle owners were poor people, whether the expenses attending the burials would be borne by the local authorities.

SIR GEORGE GREY said, that where animals were ordered to be slaughtered by the local authorities the expense of their burial would not be borne by the owner.

Amendment *withdrawn.*

Clause, as amended, *agreed to.* [*cl.* 13.]

Clause 14, as amended, *agreed to.* [*cl.* 13.]

Clause 15 (Purification of Sheds, &c., of diseased Animals.)

SIR EDWARD BULLER moved the omission of the word "field." He said that he could not see how a field could be disinfected.

SIR GEORGE GREY said, it was necessary, if a diseased animal were slaughtered in a field, that the place where the animal was killed should be cleansed.

Amendment *withdrawn.*

SIR EDWARD BULLER moved to substitute the word "direct" for "prescribe," so that the clause should read "and every local authority shall direct the disinfection of clothes, and the use of due precautions," &c.

CAPTAIN CARNEGIE suggested that some penalty should be provided in the case of inspectors and others neglecting to disinfect themselves.

Amendment *agreed to.*

LORD ROBERT MONTAGU moved an Amendment, including within the operation of the clause any place in which a diseased animal had been kept during the continuance of the disease, as well as the place where it died.

Amendment *agreed to.*

MR. HUNT said, the language of the clause required all hay, straw, litter, or other articles with which a diseased animal had been in contact to be burnt or destroyed. In some cases that would be impossible. An animal might die in a farmyard which was full of wet manure, and he thought they should require that manure to be disinfected.

LORD JOHN MANNERS said, that the clause already provided for such disinfection.

LORD STANLEY said, he would suggest the insertion of some words of limitation after "burnt or destroyed," as, for example, the words "if necessary."

VISCOUNT MILTON moved the insertion of words at the end of the clause to the effect that no inspector or other officer appointed by the local authority should visit cattle in more than four separate farms or homesteads in any one day of twenty-four hours, or inspect cattle in the same close or part of a close consecutively on the same day in the same clothes, under the liability to a penalty not exceeding £10.

SIR GEORGE GREY said, the last part of the Amendment should be postponed till they came to the duties of the inspectors, and the Committee had just given power to the local authorities to direct the mode in which officers employed by them should be disinfected. The first part would create serious inconveniences. The great difficulty hitherto had been to get competent persons as inspectors, and if they were not allowed to make more than four visits in a day the number must be so multiplied that they could not hope to get men fit for the duty.

Amendment *withdrawn.*

Clause, as amended, *agreed to.* [*cl.* 14.]

Clause 16 (Slaughter of Cattle herded with diseased Animals).

MR. BRIGHT: I have to suggest an alteration in accordance with the view I have taken of the Bill altogether. I am against the system of indiscriminate slaughter, and I believe the time will come when we shall look back on this Bill as not very wisely framed in this respect. I propose the second line shall run thus—

> "The local authority may cause to be slaughtered, with the consent of the owner, any animal that has been in the same shed,"

and so on. The Committee will see that I do not wish to leave it to a local authority to determine whether the healthy cattle of any farmer in this country shall be slaughtered whether the farmer thinks it desirable or not. In support of my proposition, I should like to read to the Committee a letter which a Member of this House has placed in my hands within the last quarter of an hour, bearing upon this question, and upon a remedy which has been very much talked about within the last few days. It is a letter addressed to Baron M. de Rothschild, M.P., from a veterinary surgeon, a gentleman of intelligence, and is in these words—

> "Aylesbury, Feb. 15th, 1866.
>
> "Sir,—In reply to yours respecting the cattle plague at your farm at Pribor, I beg to inform you that there are 119 head of stock there, and

the first animal was attacked on Thursday, February 8th. On Saturday, two more were affected; on Monday, one; Tuesday, four; Wednesday, three; and this morning (Thursday), two more, making a total of thirteen. On Saturday I had the honour of an interview with Mr. Worms, who very kindly detailed his plan of treatment. I immediately adopted it, and am happy to say with the greatest success, having only lost one, and that the first which was attacked. But I do not consider this a fair case, as the heifer was ill for at least forty-eight hours before we adopted Mr. Worms's treatment. All the others are doing well.

"I am adopting the same treatment on other farms with the same success. In fact, I would now as soon attend cattle labouring under the plague as any other disease, feeling assured that I should not lose a greater percentage.—I have the honour to be, your obedient servant,

"Geo. A. Lepper.

"P.S.—Altogether I have treated twenty-seven calls, and I find great benefit from repeating the medicine in half doses every twelve hours in severe cases."

On a matter of this nature the public is very likely to have its hopes excited and to have its hopes not realized. The letter which I have read supports my view of this Bill. The hon. Member for Oxfordshire says with great truth that since the Orders were issued with reference to the cattle plague men dressed with a little brief authority, perhaps not always the most intelligent of men, have come into farmyards and told the farmers what cattle shall be slaughtered. That proceeding is a most outrageous violation of the first principles of freedom. Well, this Bill proposes by a permanent enactment to continue this state of things. It proposes that the local authority, if he thinks fit, may cause to be slaughtered any animal that has been in the same shed, the same herd, or flock, with any infected animal in his district, although the particular animal may not have shown the slightest sign of illness. We know very well that a great many cattle do not take the plague, as we find that there are persons who do not take sickness from other persons afflicted by disease. I maintain that it is contrary to common sense and to the natural right of every man that somebody should come into his farmyard and insist upon killing a beast that appears to be in ordinary health. Therefore I propose to alter this clause, so as to prevent the local authority from causing these animals to be slaughtered without the owner's consent. I do not know whether hon. Gentlemen will take that as a reasonable proposition. I have been more astonished at the disposition to slaughter than almost anything else. I think the plan of indiscriminate slaughter which has been recommended is a monstrous mistake, which we shall all be ashamed of hereafter. I beg, therefore, to move the alteration I have suggested in this clause.

Mr. DISRAELI: Sir, does it require an Act of Parliament to produce the effect sought for by the Amendment of the hon. Member for Birmingham? I should fancy that any animal might be slaughtered with the consent of its owner. On that ground I think the Amendment of the hon. Member quite unnecessary. It also appears to me that such an Amendment would do away with the principle of compensation, a result, probably, the hon. Member would not regret. Now, I hope it will be understood that I uphold the principle of compensation, not merely as a matter of justice to those whose property is destroyed by order of the local authority, but also as a matter of public prudence, and for the general advantage of the country. I confess that unless I believed it to be necessary for the general advantage I should not support the principle of compensation. I admit that those who suffer under visitations like that we are endeavouring to mitigate ought to receive some assistance extra from that which they may acquire by their own exertions. But I must also admit that public subscriptions are the natural resource to appeal to under ordinary circumstances, and if all we had to consider were the losses of the farmers, it would be, I think, a legitimate question to discuss whether their losses should not be supplied by their own exertions and by private sympathy and charity. But a great principle is here involved. I believe that by admitting the principle of compensation you are indirectly preventing the spread of the calamity which we are now endeavouring to eradicate. It is, Sir, on that ground, I support the provisions of this Bill. The hon. Member for Birmingham seems to think this is a question of private justice and not one of public policy. But, looking at it, as I do, in the latter point of view, I shall support the principle of compensation. The Amendment of the hon. Member for Birmingham is quite unnecessary, inasmuch as it requires no legislation to allow an animal to be slaughtered with the consent of its proprietor.

Mr. BRIGHT said, that the right hon. Gentleman had totally misunderstood what he had said. By the clause as it stood, the local authorities could kill all these cattle without the consent of the owners.

The cattle might be healthy, though liable to a certain suspicion, and he insisted that the right thing was that the slaughter should only take place with the consent of the owners. Of course, the owners could slaughter the cattle without the consent of the local authorities, but by the Bill the local authorities could slaughter them without the consent of the owners.

LORD ROBERT MONTAGU said, according to the present reasoning of the hon. Member for Birmingham, it was possible to cure diseased cattle, and that the time might come when they would repent of having framed an enactment requiring those animals to be slaughtered. Now, unless the cure on which the hon. Member so much relied proved effective before two months, being the period to which the operation of the Bill was limited, there was very little ground for supposing that they would repent of their legislation. But the hon. Member for Birmingham on a former occasion said he thought the chances of the recovery of diseased animals were so slight he did not think that they ought to grant the owners two-thirds of the value as compensation for their losses; and now the hon. Gentleman had come down to the House with a plan which he said he had discovered for the cure of the cattle plague.

MR. BRIGHT said, the noble Lord entirely misapprehended him. What he had said, in respect to the question of compensation to the owner for the loss of his cattle, had reference to the destruction of diseased beasts. What he was speaking of now had reference to cattle apparently healthy.

LORD ROBERT MONTAGU said, he had never heard before of curing cattle that were healthy. He must return the hon. Member his sincere and hearty thanks for the speeches which he had made yesterday and that night against compensation to the owners of cattle ordered by the local authorities to be destroyed; because, in the county of Huntingdon, which he (Lord Robert Montagu) had the honour to represent, there was an uncomfortable number of farmers who unfortunately felt an admiration for the hon Gentleman, but who were not likely to indulge in such a sentiment any longer.

MR. NEATE said, he was prepared to carry the principle of compensation to a greater extent than probably anybody dared to propose in that House, and, therefore, it was not because he was afraid of compensation that he supported the Amendment, but because he believed that this indiscriminate slaughter unnecessarily added to the losses already sustained. Having intercourse with farmers, he knew that there was no disposition among them to submit to any such legislation, and, therefore, he was of opinion that the slaughter should only take place on the joint action of the owner and inspector, and that the owner should be entitled to compensation.

SIR GEORGE GREY said, the Amendment would completely neutralize the effect of the clause, which was framed to meet cases where the slaughter of animals which had been in contact with the disease was as essential for the prevention of disease as the slaughter of animals which had been actually attacked by the plague. Where the contiguity had not been so close as to give reasonable ground to apprehend the spread of infection, the slaughter of the animal might not be necessary, and, therefore, a discretion was given to the local authorities, which there was no reason to suppose would be unwisely exercised.

MR. DENT said, he was in favour of slaughtering all diseased animals, but he was against the indiscriminate slaughter of those which had been merely in contact with diseased cattle. They should be kept under proper surveillance, and slaughtered at the first indication of the disease. Cases had come under his notice where contact with the disease had taken place and the animals escaped, and where one animal out of a herd had been attacked with rinderpest while all the rest remained healthy. The Royal Agricultural Society, according to the resolutions which they passed, were against the indiscriminate slaughter of animals, merely because they happened to be in contact with diseased beasts. He was quite prepared to give compensation for animals slaughtered with the consent of the owners, and he did not understand the hon. Member for Birmingham to mean that the owners should not be paid.

MR. BRIGHT said, that they would be in the same position as the owners of other slaughtered cattle.

LORD BURGHLEY said, that he could tell the hon. Member for Birmingham, who seemed so confident of the success of the treatment adopted by Mr. Worms, that that gentleman had under his care thirty cows at Datchet and left them, as he fancied, cured, but they had all since died.

SIR FRANCIS CROSSLEY said, he hoped the House would give due consideration to the proposal of the hon. Member for Birmingham. He would state what had occurred in his own case. He had the rinderpest on his farm. His bailiff sent immediately for the Government inspector, who recommended the slaughter of six bullocks and four cows which had the disease, and also the whole herd of thirty bullocks that had been in contact with those that were attacked. They were sent to the London market with a Government certificate; as a great many animals had been slaughtered under similar circumstances. They were sold at a great sacrifice—at a loss of £700. He decided not to adopt the same course with eleven oxen that remained, but rather to see what could be done to cure them. Three were taken with rinderpest, while two out of the three had been completely cured, and were now well and hearty. By-and-by a fourth was affected, and that also was cured, so that three out of four had been cured. He therefore thought it hard that a bullock should be killed without the consent of its owner, and the hon. Member for Birmingham was quite right in the proposition he had made. If the owner gave his consent let the animal be slaughtered and the owner recompensed. In his own case, instead of being recompensed he had been charged £12 for the inspector coming down and giving his advice.

Mr. HUNT said, he was convinced that a great deal of harm had been already done by the remedies which had been put forward for the cattle plague—all sorts of specifics had been sent to the newspapers; and the consequence was that owners of cattle taken with the disease relied on these remedies. He believed the best remedy was the poleaxe. He had at one time some little hopes that vaccination might prove an effectual remedy; but after full inquiry he had satisfied himself that it was not to be relied on. He sincerely trusted Mr. Worms' prescription might prove successful—it consisted of a very strong vegetable stimulant, but the highest authorities in London distrusted it. ["Name!"] He should, perhaps, have said the highest official authorities—he meant the officers of the Privy Council. ["Oh, oh!"] Surely those who advised the Government might be supposed to be the highest authorities. Those authorities distrusted Mr. Worms' remedy; he had not satisfied professional people that his remedy was likely to prove effective. He thought it might be most mischievous if it went forth on the authority of the hon. Member for Birmingham that there was a likelihood this remedy would prove effectual until they knew more about it. He understood that this very day an offer had been made to place a sufficient number of cattle, having undoubtedly cattle plague, under Mr. Worms' care, and if he succeeded with them there would be reason to believe that something had really been found to prevent this dreadful disease spreading. Then they might dispense with slaughter; but, meanwhile, he would implore those who had animals seized not to trust to Mr. Worms' remedy. The animals he had experimented upon might not have had the cattle plague. A great many inspectors in the country did not know cattle plague when they saw it, and he believed hundreds of cattle had been slaughtered by inspectors which never had the plague. If the animals treated by Mr. Worms really had cattle plague, he should like to wait a certain number of days to see that they did not die after all. Until something more certain was known on the subject it would be exceedingly foolish not to pass this clause. He quite agreed with what was stated the other night by the right hon. Gentleman the Member for Calne (Mr. Lowe), that the Government should have power of striking out from this Act the provision relative to slaughter in case some remedy should be discovered. He did not despair of a remedy; but after all the researches which had been made in foreign countries, none had yet been discovered. A most interesting report was made on the subject by a professional man in 1701 as to the outbreak of this disease in Italy; it was made under the direction of the Sacred College. He described all the symptoms of the disease exactly; he mentioned the various attempts that were made to cure it, and his essay on the subject was very well worth perusal; but he came to the conclusion our own veterinary surgeons had come to, that nothing but the poleaxe could get rid of the disease.

Colonel GILPIN said, that the district inspector of Bedfordshire had informed him on Tuesday last that he had thoroughly investigated the matter, and had convinced himself of the efficacy of Mr. Worms' remedy. After trying it on animals undoubtedly attacked by rinderpest he was astonished at the result. The animals presented every symptom of returning health; the eyes of the diseased animals had become quite clear, their coat sleek, and they ate ravenously; but whether there might be re-action, he could not say. His present opinion was very much in favour of Mr. Worms' remedy; and that the disease under which the cattle laboured on which it had been tried was rinderpest there could be no doubt whatever. With regard to the Datchet case, there was great difficulty in proceeding with the cure, because the place where the animals were located was wholly unsuited for trying the remedy — it was nothing better than a pigstye.

Mr. CARNEGIE said, he fully agreed with the hon. Member for Northamptonshire that the public were likely to be led away by an accumulation of false remedies. He agreed that there should be some limit to the power of the local authority, and the suggestion of the hon. Member for Birmingham was, he thought, a fit and proper one. Even inspectors, it appeared, might be mistaken as to this disease, and for that reason great caution should be taken in the slaughter of healthy animals. The proposal of the hon. Member for Birmingham had been misunderstood. It was that healthy cattle should not be slaughtered without the consent of their owner, and if slaughtered with his consent, that he should be entitled to compensation. As it appeared to him that the proposal of the hon. Gentleman was reasonable, therefore he should vote for it, if the House divided npon the Question.

Sir JAMES FERGUSSON said, that in the county he represented (Ayrshire) there were 2,500 farmers, who were in great measure dependent upon their dairy cattle, and no district could be more opposed to an indiscriminate slaughter, inasmuch as the compensation offered was a trifle in comparison with the loss of carefully bred stock which could not be replaced for years. Moreover they would lose the current profit on it, and it was out of the dairy stock that they paid their rent. But these very tenant-farmers implored Parliament to pass such a measure as the Committee were now considering, as the only thing that could save their property from total destruction. He had in his pocket a copy of a petition signed by most of those farmers praying that whenever the disease broke out among a herd the whole of that herd should be slaughtered, and compensation be awarded only at the rate of three-fourths of the value of the animals destroyed. It would be perfectly safe to place such a power in the hands of the magistrates of the county, as they would not be at all inclined to destroy the property of the farmers, or throw an undue burden on the county rates. He had seen the most extraordinary proofs of the way in which the disease might be stamped out. In one instance, where a farmer had brought the disease in his clothes from a place twenty miles distant, the whole of his stock was at once slaughtered, and the result was that the infecttion was destroyed. On the other hand, where, instead of slaughtering, it was attempted to cure the cattle without separation, the disease had spread in a wide radius, and in the result, 100 beasts fell victims to the plague where only ten need have been killed. Therefore, he implored the Government not to surrender the clause.

Mr. MARSH also hoped that the clause would be permitted to pass as it stood. The disease had been completely stamped out in Australia by slaughtering inspected herds, whereas all attempts to effect cures had signally failed. Inoculation and vaccination had both been tried, but without success, the only result being that when the latter was tried, the tails of the animals had dropped off.

Mr. GREEN said, he had for a long time protested against the slaughter of cattle infected with the disease, believing that some remedy would shortly be discovered that would stay its ravages; but he had now entirely changed his opinion, and was convinced that the only way to stay the cattle plague was—under proper authority, exercised with proper discretion—to destroy not only cattle actually diseased, but all those which had been in contact with them. He would give them some practical illustrations. He knew of a case where the disease having broken out among a number of cows in October, all the diseased cattle were slaughtered and buried, and all the sound beasts were slaughtered and sent to the market. The result was, although the herd were situated in the centre of a town, and another herd was kept in the neighbourhood, the disease was completely stamped out. In another instance, where cures had been attempted, twenty out of twenty-two cattle died of the plague. He recommended that the two remaining should be kept for the purpose of cure, if possible, and the consequence was, that they were the cause of infection to a neighbouring herd the whole of which died. These facts had convinced him that the only effectual remedy for the disease was to slaughter every beast that had been in contact with an infected animal.

Mr. OWEN STANLEY hoped the House would not consent, at a time when we had lost so many animals by the disease, to give a power which would lead to the ruthless slaughter of thousands of our remaining cattle. He was certain that the disease was not so fatal as was generally supposed, for he found from Returns he held in his hand that in the only two counties in North Wales which had been attacked, more than 50 per cent of the infected animals had recovered; and he understood that the case was the same in Scotland. If they had proper statistics of the disease, he thought it would be found that it was the short-horns that the disease attacked so fatally; whereas the number of deaths of the hardier breeds which were most common in Wales and Scotland, were fewer in proportion. It might be all very well to place the power in question in the hands of the local authorities of the central parts of England, but that was a very different thing to placing it in the hands of the local authorities in the remote parts of the kingdom, who were sure to act rashly in the matter. He should certainly vote for the Amendment proposed by the hon. Member for Birmingham.

Mr. TOLLEMACHE said, the county he represented (Cheshire) had suffered from the disease more than any other in the kingdom. After what had been said by the hon. Member for Birmingham and by the hon. Gentleman below him (Colonel Gilpin) on the subject of Mr. Worms' system of treatment, he felt bound to state what had been his experience of that treatment in Cheshire, where the frightful ravages of the disease had induced them to try every remedy that had been proposed. Immediately he saw Lord Leigh's letter in the newspapers, he sent directions to his bailiff to try Mr. Worms' system on his cattle; and he afterwards found that his brother had also tried it. So far as their experience had gone he was sorry to say it had entirely failed. It had produced no good result whatever, the mortality being as great where it had been tried as it was before. He sincerely hoped that Her Majesty's Government would maintain the clause in question in the shape in which it then stood, as nothing would please the farmers of Cheshire more than the slaughter of infected animals. He thought Parliament might, with propriety, leave a discretionary power of this kind in the hands of the local authorities.

Mr. BRIGHT said, he wished to make one observation on the question of the hon. Member for Northamptonshire, as to who where the local authorities? The local authorities were bodies who would be very much guided by their inspectors, who, as the hon. Member had himself stated, in many instances did not know the rinderpest when they saw it; and he was unwilling to leave a vast amount of property in the hands of such men, to be destroyed at their will. The matter was of great importance; and as there had been a strong expression of opinion among the Members of the House in favour of his Amendment, he felt it to be his duty to divide the Committee upon the question.

Question put, "That the words stand part of the Clause."

The Committee *divided*:—Ayes 388; Noes 50: Majority 338.

Clause ordered to stand part of the Bill.

Clause 17 (Value of slaughtered Animals).

Sir GEORGE GREY said, he proposed to add a proviso, excluding from compensation persons who had violated the Orders.

Clause, as amended, *agreed to*. [*cl.* 16.]

Clause 18 (Cattle slaughtered by Order of Inspectors previous to Act).

Sir GEORGE GREY said, that the clause had reference to retrospective compensation, to which many objections had been raised. He would propose that the clause should be negatived, in order that the House might have an opportunity of fully considering the subject on a future occasion.

Clause *struck out*.

Clauses 19 and 20 (Isolation of infected places).

Sir GEORGE GREY said, that the hon. Member for Northamptonshire (Mr. Hunt) had given notice of his intention to move the postponement of these two clauses. As the Government wished to facilitate discussion on the subject, he would not object to the course proposed to be taken by the hon. Gentleman.

Clauses *deferred*.

Clause 21 (Regulations as to Movement of Cattle).

Sir GEORGE GREY said, that some hon. Gentleman had pointed out the other day that the words "except by land" might imply that the removal of cattle by canal or river was allowed. He would, therefore, propose to substitute the words "except by sea."

Amendment *agreed to.*

MR. HUNT said, that the Committee was well aware that the point involved in the Amendment of which he had given notice, was whether the restrictions upon the movement of cattle and the exceptions too should be statutory, or should be left to the discretion of the local authorities. His proposal upon the Notice paper would be to leave out all the words after "land," which, however, had been converted into "sea." He did not now propose to leave out all the words, but in line 35, "No cattle shall be moved, except by railway," &c., he proposed to leave out "except by railway;" and he further proposed to add two paragraphs, separately. The first was, "No cattle shall be moved on any railway before the 25th day of March, 1866." That would be absolute, and there would be no exception whatsoever. The second paragraph was—

> "No cattle shall be moved along any highway, or any canal, navigation, or river, except as this Act expressly authorizes."

If he succeeded in carrying that, he should endeavour to insert the exceptions proposed in his own Bill. It would be open to hon. Members to propose other exceptions, and to embody the third Resolution passed at the meeting in the tea-room. The principle he contended for was that all restrictions and exceptions should be expressly named in the statute, and should not be left permissive to local authorities. He now moved the omission of the word "except" by railway.

Amendment proposed, in line 35, to leave out the word "except."—(*Mr. Hunt.*)

SIR GEORGE GREY said, the hon. Gentleman's proposition that no cattle be removed along any railway involved the stoppage of every market for the sale of fat cattle throughout the United Kingdom. Now, it was desirable to keep certain markets open in large towns for the sale of fat cattle for immediate slaughter, subject to the licence of the local authorities, with the proviso that in towns with less than 40,000 inhabitants the licence of the magistrates of the county in which the borough was situate should be required as well as that of the local authority of the borough. If they shut up all those markets they would necessarily at once change the whole supply of live meat for the consumption of the inhabitants of every part of the kingdom into a dead meat supply. It was a question which the House, he thought, was fully competent to decide; but he hoped they would very seriously consider the consequences of the step they were now asked to take. He believed that it would much interfere with the supply of food to the people and raise the price of it very materially. Let him recall to the recollection of the House observations which, at the time they were made, produced a considerable impression on the House—which were addressed to him by Mr. Thompson, the chairman of the West Riding Association. Mr. Thompson pointed out forcibly—and he had had various communications from other parts of the country confirming what he said—that the sending of the butcher to the farm in every case to slaughter animals would not only have the effect in some cases of making the meat so slaughtered unfit for human food and lead to diseased meat being brought to market, but would also have a tendency to spread the disease, as the butcher going from farm to farm might carry the infection with him. He reminded them of these observations in order that the House before coming to a decision might consider their bearing on the present proposal. Take the cattle from Ireland, which were landed at Liverpool and elsewhere—they would require to be immediately slaughtered, instead of being at once put into railway trucks, and forwarded to Manchester and other large towns in Lancashire and the manufacturing districts. He could not help thinking that the House would be taking a rash step in adopting a proposal which would have the effect of stopping every market in the kingdom. He had been told since the Bill was brought in, that at the present time store cattle were being moved on various lines of railway in England. He should have thought the restrictions placed by the local authorities on the movement of cattle would have prevented that. If that was the case it ought to be stopped. He did not wish that cattle should be moved by railway further than was necessary to supply great markets for fat beasts, and he would restrict railway companies from conveying cattle except to some place where a market was licensed for fat cattle. That would prevent the possibility of any movement of store cattle by railway.

Mr. HENLEY said, he desired to give the reason why he preferred the direct plan of the hon. Member for Northamptonshire (Mr. Hunt) to the proposals of the Government. Either course would involve great inconvenience. The Government Bill said no licence should be given to carry upon railways if the cattle would have to pass through an infected place. How was it possible for any person granting a licence to know whether any portion of a 100 miles of railway passed through an infected place? He was driven to accept the plainer and simpler proposal of the hon. Member for Northamptonshire, and to stop all traffic for a certain time, which would give opportunity for the disinfection of trucks; and the time occupied in passing the Bill would be sufficient notice to those interested, and would enable them to make such provision for the supply of the food markets as the circumstances of the case might require. Seeing that the Government, who drew the Bill with a full knowlege of all the inconvenience that must be occasioned by such a regulation, felt it necessary to introduce a provision to the effect that cattle should not pass through any infected district, he felt that the expediency of the Motion of his hon. Friend the Member for Northamptonshire could no longer be questioned. For the object in view it was much more efficacious, and upon a balance of inconveniences—these things, after all, being very much questions of degree—he believed his hon. Friend's proposal would prove least vexatious. He therefore should not shrink from giving it his hearty support.

Mr. AYRTON wished to throw out for the consideration of the Government a middle course. The proposition of the hon. Member opposite might be adopted if a dispensing power were admitted, under which the Queen in Council would be at liberty to issue orders applicable to any special case that might present itself. ["No, no!"] It was one thing to give authority to the Queen in Council, and another to rely upon the discretion of the local authorities.

Mr. HEADLAM said, he could not disguise from himself the strong feeling of dissatisfaction with which the proposed enactment would be received in the large towns of the north of England, one of which he had the honour to represent. According to a letter which he had received from the Mayor of Newcastle, 2,000 head of cattle were sold in that town on last Tuesday, had since been slaughtered, and were now in course of consumption in that district. In the ordinary course of things, an equal number would probably be brought into the market every succeeding week. But once this clause was enacted, the 2,000 head of cattle which otherwise would find their way into the market would be excluded from it. ["No, no!"] As live cattle they certainly would. It was said that a dead meat supply would be substituted; but he had no hesitation in declaring that this substitution could not be made without the greatest possible inconvenience. One of the great trades of the country would be revolutionized, and it was presumption to suppose that people could be reconciled to the change all at once by Act of Parliament. Moreover, they were about to take this step without laying before the people of the country any case establishing the necessity. The case as shown amounted merely to a balance of chances; for the advocates of these extreme measures could not deny that even under their scheme infection might freely continue. Meat, they said, was to be killed on the farms and brought into the towns. But the animals could not be killed without butchers and inspectors going about from farm to farm and from slaughterhouses to places where there were healthy cattle; and these persons might carry infection with them. At Newcastle the disease had prevailed for some time. It extended over a portion of the town, but not to the remainder; and latterly it had declined so much that, if not absolutely extinct, it was as nearly so as possible. From all he had ever heard, he believed no apprehensions were entertained in Newcastle of the entry of cattle into the town to be slaughtered; but, of course, he did not say the same with regard to egress. To stop the entry of cattle reported by the inspector to be healthy, and coming expressly to be slaughtered, did appear to be carrying matters to an extreme that was not at all warranted by circumstances.

Mr. LOWE: I will not detain the House above a minute. I think my right hon. Friend (Mr. Headlam) was rather unfortunate in the instance he selected, because I cannot conceive the great town of Newcastle dying of famine with the sea and the whole Continent open to it. But my right hon. Friend has not correctly stated the case before the House. The question is not as to the degree of laxity or stringency to be applied to the movement of cattle, but whether such regulations as Parliament thinks fit to be made shall be made by Parliament itself in the clauses of an Act embodying both the rule and the exception, so that they who run may read, and so that every man throughout the country may know by what rule to regulate his conduct; or whether you will send this question back again to be legislated upon by I know not how many local authorities. These local authorities have just got through the labour, imposed upon them by the Order passed in December, of framing codes of rules. For this purpose they had to construe about twenty Orders in Council; they had the utmost difficulty in passing these rules; and now that they have been passed, in many parts of the country they are utterly discordant and at variance with each other. The question is whether you will send back the matter to these local authorities, embarrassed by a new and complicated Act of Parliament, in order that they may reconstruct, with reference to this new Act of Parliament, their own former rules, their own complicated and inconsistent codes. All that will take two or three weeks to accomplish, and when accomplished the state of things so brought about will remain in existence two or three weeks more. Will the House act upon such principles, or will it lay down one single unvarying rule, to be acted upon by the whole country? When the House has once laid down a general rule it will, of course, be competent to any gentleman to give effect to whatever opinions he may entertain as to the relaxation of the rule, by proposing such exceptions as he may think fit to introduce. But the question, in this case, where the whole interests of the nation are concerned, is, whether one uniform rule should be enacted by Parliament, or whether Parliament shall shrink from the duty which its high position imposes upon it, and delegate that which it ought to do itself to a number of local bodies, well knowing that they cannot possibly discharge that duty. If this suggestion of one simple rule had been laid down and carried out by the Government at the time when it was recommended by the whole Cattle Plague Commission, at the end of October, I believe we should not be sitting here to deliberate upon this question. The option of doing right in this matter returns to us again, and returns to us for the last time —we do not avail ourselves of the opportunity now it is gone from us, and we know not what may be the consequence. We all know that when the grass grows again, cattle must be put out to feed on that grass; and all the rules that we may enact here, like the web of a spider, will be broken through by the necessities of mankind. It is just this precious time that we have got, and we cannot be too strict or too careful in the use we make of it. We may be able to improve the opportunity; but it can never be recovered if lost. If we do not get the disease under by the middle of April prepare yourself for a calamity beyond all calculation. You have seen the thing in its infancy; wait, and you will see the averages, which have been thousands, grow to tens of thousands, for there is no reason why the same terrible law of increase which has prevailed hitherto should not prevail henceforth. It is the last opportunity we have of stopping the disorder. I hope the House will not be led aside by any local interests or feelings of selfish advantage which particular counties may fancy—and fancy most falsely—that they have in this matter, contrary to that of the nation at large.

Captain JERVIS undertook to say, from a conversation held by him with the traffic manager of one of the principal railways, that there would be no such difficulty as suggested in conveying to the metropolis a supply of dead in place of live meat for the London market. In forty-eight hours from the time the order was given the whole of the appliances of that railway, which brought more meat to London than any other of the metropolitan railways, would be so regulated as to meet the requirements of the novel traffic; and that, not merely between the points from which the supply was drawn and the metropolis, but from town to town and from market to market.

Mr. H. A. BRUCE said, that though nothing could be easier than to convey by railway any number of cattle to the various centres of population, they must be first brought to the railway, and in very many parts of the country there were no facilities whatever for killing cattle and then conveying them to the railway. During the course of this debate the House had been treated liberally by hon. Gentlemen with their own personal experiences. His right hon. Friend (Mr. Headlam) had been twitted for having given an imperfect instance when he stated that Newcastle would be deprived of its 2,000 head of cattle with the sea open. But he would give an instance within his own personal knowledge. His own borough (Merthyr Tydvil) was the centre of a district of

200,000 people entirely removed from the sea. Within the limits of that district for ten miles around the actual quantity of meat produced would not be sufficient for a tenth, or even a twentieth part of the population. How, then, was it possible that all of a sudden cattle could be killed and brought to such a district? If he was told that their meat might be got from Gloucester, Worcester, and other such towns, he would ask how were these first to be conveyed there, all access by railway being prohibited by the Bill, and by highways by the local anthority? They made it necessary for the butcher to go to every farmhouse and kill the animals under what conditions he could, and the meat was to be conveyed to some railway station. How did the hon. Member for Northamptonshire meet the difficulty? Put up slaughterhouses in every parish he would say. But would not that keep up a constant stream of infection? In fact, the exceptions which were introduced in the Bill of the hon. Member for Northamptonshire himself were so considerable, and those which he had authorized were so great that the general rule which he proposed to lay down was no general rule at all. The hon. Gentleman and those who supported him would expose many districts of the country to great inconvenience, without giving the smallest degree of security that they would extinguish the disease.

Sir JOHN SIMEON, who was met with loud and continued cries for a Division, was understood to oppose the Amendment.

Lord ELCHO said, he could wish that this Amendment had been moved by some hon. Gentleman sitting behind the Treasury Bench, because he believed the point involved to be the touchstone of the Government Bill, and the keystone of its success. What he feared was this—that the Motion having been made by an hon. Gentleman opposite, it might assume in the division somewhat of a party character. ["No, no!"] He trusted that would not be so, because he and other hon. Gentlemen believed that we were in the midst of a great national calamity. Taking simply a national view of this great question, he firmly believed that if this Amendment was not carried the time they had spent upon the measure was so much time thrown away, and that the Bill which they would send forth as the result of their labours to-night would not be worth the paper upon which it was printed. Within the last few days he had attended two meetings, one held in St. James' Hall, the most influential he had ever seen—half the House of Lords and half the House of Commons, without distinction of party, were present on the occasion. A rule, and a wise one, was laid down that the Members of either House should not take part in the discussion, but should hear what the representatives of the agricultural interest from all parts of the country had to say. Well, without the slightest opposition, except from two butchers who came from Scotland, a Motion similar to that of the hon. Gentleman was carried unanimously. He attended on Monday last a conference, or rather meeting, of certain persons, Members of both Houses, who were specially selected as representing parties on both sides. A Whig nobleman, Lord Spencer, the Chairman of the Commission on which his right hon. Friend the Member for Calne sat, was in the chair, and the Earl of Lichfield, another Whig nobleman, lord-lieutenant of Staffordshire, and who lived in the midst of a dense population who would suffer much if the supply of meat was stopped, was the person who suggested the course which had now been followed by the hon. Member for Northamptonshire, and not a single dissentient hand was held up. Nor were the interests of the great towns neglected, because there were gentlemen present who represented the great railway interest throughout England and Scotland, and they assured the meeting that they could carry any quantity of meat as fish was now carried, and much more easily, as fish was more delicate. They also said that it would come to market in a much better condition than it did now; and they added that the difficulty which they felt was in dealing with a state of things in which one local authority did one thing and another another; whereas, if there was one rule they would then know what to do. He believed that this was not a party but a great national question, and unless they accepted the Amendment of the hon. Member a heavy responsibility would lie on the House.

Mr. OWEN STANLEY said, that by this clause it was provided that all cattle coming into this kingdom by sea should be slaughtered at the ports at which it arrived. It seemed to be generally supposed that all the Irish cattle came to this country through Liverpool and Bristol; but while some 54,000 head arrived in Liverpool to be taken to London and other places, nearly 40,000 came to Holyhead. At Liverpool there might be means for slaughtering the cattle thus imported, but there were no such facilities at the small ports. He hoped that provision would be made for enabling cattle coming from Ireland to be brought to the principal markets in London and the great towns without danger.

COLONEL PACKE said, that he was one of the Members who attended the meeting alluded to by the noble Lord (Lord Elcho), and it was quite true that he then stated that the railway companies would cheerfully sacrifice their trade in the transmission of live stock to London, and undertake to bring up any quantity of dead meat, and distribute it all over London wherever required. The fact was, that there were clauses in the Bill which prevented them from carrying live stock, as it was impossible to travel from Aberdeen, Holyhead, or Bristol to London without passing through infected districts without being liable to be stopped. What were they to do with all these trucks of cattle if they were stopped? The railway with which he was connected would not attempt to do it.

MR. WEGUELIN said, that although the people of Wolverhampton were partly supplied from the agricultural districts surrounding them, they drew their chief supplies from foreign countries through the ports of Liverpool and Hull; and the members of the Town Council had asserted that if the supply of food to that large mining population were interfered with they would not answer for the peace of the borough. He desired also to assert that no case was known of the disease having followed a line of railway. In his own county of Berkshire instances had occurred of the disease having followed the river most closely, and apparently quite neglected the line of railway.

MR. CUMMING-BRUCE said, he had received particulars that morning of the disease having been communicated to cattle in Inverness by the straw which had been taken from a railway truck.

SIR GEORGE GREY inquired whether dead meat was not packed in straw to be carried.

Question put, "That the word 'except' stand part of the clause."

The Committee *divided:*—Ayes 181; Noes 264: Majority 83.

Amendment made.

AYES.

Acland, T. D.
Agar-Ellis, hon. L. G. F.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Ayrton, A. S.
Bagwell, J.
Baines, E.
Baring, hon. T. G.
Barnes, T.
Barrow, W. H.
Barry, G. R.
Bazley, T.
Biddulph, M.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Bright, Sir C. T.
Bright, J.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir A. W.
Buxton, Sir T. F.
Buxton, C.
Calcraft, J. H. M.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cheetham, J.
Childers, H. C. E.
Clinton, Lord A. P.
Collier, Sir R. P.
Colthurst, Sir G. C.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Crawford, R. W.
Crosland, Colonel T. P.
Crossley, Sir F.
Dalglish, R.
Dawson, hon. Capt. V.
Dilke, Sir. W.
Dillon, J. B.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Esmonde, J.
Ewart, W.
Fawcett, H.
Fildes, J.
Foley, H. W.
Forster, C.
Forster, W. E.
Foster, W. O.
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, F. D.
Gower, hon. F. L.
Gower, G. W. G. L.
Graham, W.
Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Lord R.
Hadfield, G.
Hamilton, E. W. T.
Harris, J. D.
Hartley, J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hodgkinson, G.
Holden, I.
Howard, Lord E.
Howes, E.
Hughes, W. B.
Hurst, R. H.
Ingham, R.
King, hon. P. J. L.
Kinnaird, hon. A. F.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, J. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lindsay, Colonel R. L.
Locke, J.
Lusk, Alderman A.
Mackinnon, Capt. L. B.
M'Laren, D.
Mainwaring, T.
Marjoribanks, D. C.
Martin, C. W.
Martin, P. W.
Merry, J.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Mitchell, A.
Moffatt, G.
Moncreiff, rt. hon. J.
Moore, C.
More, J.
Morley, S.
Morris, W.
Morrison, W.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Donoghue, The
Oliphant, L.
O'Loghlen, Sir C. M.
Onslow, G.
Otway, A. J.
Paget, Lord C.
Palmer, Sir R.
Peel, A. W.
Pelham, Lord
Peto Sir S. M.
Philips, R. N.
Platt, J.
Potter, E.
Potter, T. B.
Price, R. G.
Price, W. P.
Pugh, D.
Rawlinson, Sir H.

Rearden, D. J.
Robartes, T. J. A.
Rothschild, N. M. de
Russell, A.
Russell, Sir W.
Samuda, J. D'A.
Samuelson, B.
Schneider, H. W.
Scourfield, J. H.
Seymour, H. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stock, O.
Sullivan, E.
Synan, E. J.
Torrens, W. T. M‘C.
Tracy, hon. C. R. D. H.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waring, C.
Watkin, E. W.
Weguelin, T. M.
Westropp, H.
Whalley, G. H.
Whitbread, S.
White, J.
Whitworth, B.
Williamson, Sir H.
Woods, H.
Wyld, J.
Young, A. W.

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Andover, Viscount
Anson, hon. Major
Anstruther, Sir R.
Archdall, Captain M.
Aytoun, R. S.
Bagge, W.
Barclay, A. C.
Baring, hon. A. H.
Barnett, H.
Bateson, Sir T.
Bathurst, A. A.
Beach, W. W. B.
Beaumont, H. F.
Beaumont, W. B.
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Biddulph, Colonel R. M.
Bingham, Lord
Blennerhasset, Sir R.
Bourne, Colonel
Bovill, W.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Bruce, Lord C.
Bruce, Major C.
Bruce, Sir H. H.
Buckley, E.
Buller, Sir E. M.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Campbell, A. H.
Carnegie, hon. C.
Cartwright, Colonel
Cave, S.
Cavendish, Lord G.
Cecil, Lord E. H. B. G.
Cholmeley, Sir M. J.
Clifton, Sir R. J.
Clive, Capt. hon. G. W.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Colebrooke, Sir T. E.
Colvile, C. R.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cooper, E. H.
Cox, W. T.
Cranbourne, Viscount
Craufurd, E. H. J.
Cubitt, G.
Cust, hon. C. H.
Dalkeith, Earl of
Davey, R.
Dawson, R. P.
De Grey, hon. T.
Dering, Sir E. C.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duff, R. W.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, General
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Evans, T. W.
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Farquhar, Sir M.
Fellowes, E.
Fergusson, Sir J.
Ferrand, W.
FitzGerald, Lord O. A.
Fleming, J.
Floyer, J.
Foljambe, F. J. S.
Forde, Colonel
Forester, rt. hon. Gen.
Fort, R.
Fortescue hon. D. F.
Freshfield, C. K.
Gallwey, Sir W. P.
Gaskell, J. M.
George, J.
Gilpin, Colonel
Goldney, G.
Goodson, J.
Gore, J. R. O.
Graves, S. R.
Greene, E.
Gray, Lieut.-Colonel
Griffith, C. D.
Grosvenor, Earl
Grove, T. F.
Hamilton, Lord C.
Hamilton Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hanbury, R. C.
Hankey, T.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Heathcote, hon. G. H.
Heathcote, Sir W.
Heneage, E.
Henley, rt. hon. J. W.
Herbert, hon. P. E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Hodgson, W. N.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holland, E.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Horsfall, T. B.
Hotham, Lord
Howard, hon. C. W. G.
Hubbard, J. G.
Huddleston, J. W.
Jervis, Captain
Johnstone, Sir J.
Jolliffe, rt. hn. Sir W. G. H.
Jolliffe, H. H.
Kearsley, Captain R.
Kekewich, S. T.
Kelly, Sir F.
Kendall, N.
Kerrison, Sir E. C.
King, J. K.
King, J. G.
Knight, F. W.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Leader, N. P.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Long, R. P.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, J.
Mackie, J.
M‘Lagan, P.
Manners, rt. hon. Lord J.
Manners, Lord G. J.
Meller, W.
Miller, S. B.
Mills, C. H.
Milton, Viscount
Mitchell, T. A.
Mitford, W. T.
Monk, C. J.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Noel, hon. G. J.
North, Colonel
Packe, Colonel
Paget, R. H.
Pakington, rt. hon. Sir J.
Parker, Major W.
Parry, T.
Patten, Colonel W.
Peel, rt. hon. General
Peel, J.
Pennant, hon. Colonel
Percy, Lord H.
Powell, F. S.
Pritchard J.
Read, C. S.
Rebow, J. G.
Repton, G. W. J.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
St. Aubyn, J.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Sheridan, R. B.
Simonds, W. B.
Smith, S. G.
Somerset, Colonel
Stanhope, J. B.
Stanhope, Lord
Stanley, Lord
Stanley, hon. F.
Stirling, W.
Stone, W. H.
Stuart, Col. Crighton-
Stuart, Lt.-Colonel W.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, J. H.
Thynne, Lord H. F.
Tollemache, J.
Tomline, G.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trefusis, hon. C. H. R.
Trollope, rt. hon. Sir J.
Turner, C.
Vandeleur, Colonel
Verner, E. W.
Verney, Sir H.
Vernon, H. F.
Walcott, Admiral

Waldegrave-Leslie, hon. G.
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Welby, W. E.
Western, Sir T. B.
Williams, Colonel
Williams, F. M.
Winnington, Sir T. E.
Wise, H. C.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.
Young, R.

TELLERS.
Hunt, G. W.
Dent, J. D.

MR. HUNT then moved that in the 35th line, after the word "moved," to insert, "on any railway before the 25th day of March."

Amendment *agreed to.*

MR. HUNT then moved that after the words now added the following words be inserted:—

> "No cattle shall be carried along any highway or any canal navigation, or river, except in those cases expressly named in the Bill."

If this were assented to he should then propose to make those exceptions which he had embodied in his Cattle Plague Bill. It would be open to any number of additional exceptions, in favour of any district, in accordance with the third Resolution. The principle of the paragraph, however, was this, that the movement of cattle on highways should be restricted, and that all exceptions to that movement should be named in the Bill.

MR. BOUVERIE said, that he and many other Members had only considered the Government Bill, and they were now asked to adopt the clauses proposed by the hon. Member for Northamptonshire in his Bill. He thought that time should be given for the consideration of those clauses, and he therefore moved that the Chairman report Progress, and ask leave to sit again.

MR. HUNT said, that if the Committee agreed to the paragraphs it would not commit itself in regard to any exceptions.

SIR GEORGE GREY concurred in the Motion for reporting Progress. It was impossible to assent to the principle that the Committee were to adopt exceptions, without knowing what the exceptions were to be.

MR. DISRAELI said, it was competent to decide whether there should be exceptions or not, and then what was to be the nature of them. He thought the proposal to report Progress a reasonable one at that advanced hour (a quarter past twelve.)

MR. HUNT asked whether the right hon. Baronet proposed to go on with the Bill to-morrow; and if not finished then, whether the House would sit on Saturday?

SIR GEORGE GREY said, that by the rules of the House the first Order to-morrow must be Supply.

THE CHANCELLOR OF THE EXCHEQUER said, that no notice of Motion had been given upon the Order for Supply to-morrow; therefore, there was nothing to prevent its being the first business of the day.

MR. HUNT feared that he should have no other opportunity of giving notice of the exceptions he intended to propose. He would, therefore, state that he intended to move the exceptions enumerated in his Cattle Plague Bill with the addition that male animals might be moved for breeding purposes. With regard to the practical suggestion made by the Member for Berkshire, there might also be a special exception as to moving young calves, not on foot, but in carts.

Committee report Progress; to sit again *To-morrow.*

SAVINGS BANKS AND POST OFFICE SAVINGS BANKS BILL—[BILL 5.]

SECOND READING.

Moved, "That the Bill be now read the second time."—(*Mr. Chancellor of the Exchequer.*)

MR. HUBBARD asked for some further explanations of this measure. The title of the last Bill would exactly suit it, for it was really a Bill for the reduction of the National Debt. It permitted the Chancellor of the Exchequer to cancel £5,000,000 Three per Cent Stock, and to substitute for it an equal value in terminable annuities. The interest of the £5,000,000 was £150,000 per annum, while the annual payment required on terminable annuities would be £330,000. The difference would be that in the first year of the operation of the Act the country would have to pay £180,000 more than the previous year on the same security. The House had been engaged the whole evening in discussing the terrible calamity of the cattle plague, and it was undesirable at the present moment to go out of their way and make a forced march with the view of reducing the National Debt. He objected to make this reduction by means of terminable annuities. The fact was, that these securities were not negotiable at all, and were only held in the Government offices. They required a constant re-investment year by year. He had, however, one serious objection to the measure. The right hon. Gentleman the Chancellor of the Exchequer had always displayed an extreme willingness to reduce those taxes which were most open to complaint; but by passing this measure his right hon. Friend, and the House itself, would be precluded from dealing fairly with those subjects in the Budget. His right hon. Friend might be called upon to reduce the fire insurance duty or other taxes which weighed prejudicially on the energies of the people; but if this Bill were passed, £180,000 a year would be added to the taxation of the country, and to that extent they would be precluded from an indulgent consideration of the imposts of the country. It appeared to him to be a strange time to select when 7 or 8 per cent was currently given for money, for discharging debts upon which they were only paying 3½ per cent.

The CHANCELLOR of the EXCHEQUER certainly could not at all complain that his hon. Friend, with the opinions he entertained, should object to the principle of the Bill; but, in considering the operation of the Bill, his hon. Friend entirely omitted to observe the effect of the former Bill. The practical effect was that one measure balanced the other. The object of the first Bill was to produce a true statement of the National Debt, by practically abolishing two funds precisely in the nature of the old Sinking Fund, which Parliament had long ago condemned. Its financial effect was to relieve the country from a very considerable annual charge, which was, of course, a set off, so far as it went, against the annual charge created by the present Bill. The Bill gave power to cancel £5,000,000 of perpetual annuities, and convert them into terminable annuities expiring in 1885; thereby creating, as his hon. Friend had said, a considerable additional annual charge in the interest of the National Debt until that year arrived. He held that it was a wise and provident proceeding in the actual circumstances of this country to use every fair and safe opportunity for the conversion of perpetual into terminable annuities, with a view to the reduction of the annual charge of the debt after a certain term of years. His hon. Friend seemed to think that the additional annual charge for the National Debt in the present instance was one of some magnitude, but it was not so; the whole amount of the increased charge occasioned by the two Bills would be £45,000. His hon. Friend said that these annuities were held only by the Government offices; but these were not the only stocks to fall back upon. There was a sum of £24,000,000 due from the Government to the savings banks, which they could convert into stock whenever it was deemed expedient to do so; therefore, they were not in the least under the necessity of considering whether the present stocks would be a good security for the savings banks. So much for the old savings banks; with respect to the new Post Office savings banks, they were receiving large deposits at 2½ per cent. The current never changed its direction for one moment, it was always setting inwards. Therefore, they were now under no necessity of considering any event so improbable as a total change of circumstances with respect to these institutions. Care would be taken to keep a considerable amount of convertible stock always in hand. If he were wrong in the opinion he held as to the expediency and wisdom of converting perpetual and terminable annuities, let the House interfere; but, if he were right, let them give effect to the measure proposed.

Mr. Alderman SALOMONS concurred with the right hon. Gentleman the Chancellor of the Exchequer in the advisability of converting perpetual into terminable annuities; but hoped that the settlement of 1863 would not be disturbed, and that the right hon. Gentleman would insert some words in the Bill stating that there was no intention of interfering with the settlement without the sanction of Parliament.

The CHANCELLOR of the EXCHEQUER said, it was not proposed to interfere with the settlement to which the hon. Gentleman alluded.

Mr. HENLEY said, he quite believed in the soundness of the principle advocated by the right hon. Gentleman, but suggested the desirability of striking out in Committee the 4th clause, which gave unlimited power to the Treasury to carry out the same system in future. He thought that Parliament ought from time to time to be informed of the manner in which Government was acting.

Mr. AYRTON wished to call the attention of the right hon. Gentleman the Chancellor of the Exchequer to the fact that at the end of the twenty years the nation would still be indebted to the savings banks to its present amount, but he feared there would be no capital to represent the debt. He should like to know when the terminable annuities came to an end, and there was a deficit of millions on the part of the savings banks, what security was to be provided for them.

THE CHANCELLOR OF THE EXCHEQUER said, the calculation had been made and the value had been fixed.

MR. AYRTON feared the amount was to be made a charge on the Consolidated Fund. He wished, however, to point out the fact that the reduction of the National Debt could not be effected by means of annuities terminable at the end of twenty years, for people would not be induced to buy them unless they ran for forty or fifty years.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday.*

JAMAICA GOVERNMENT BILL.

LEAVE. FIRST READING.

MR. CARDWELL: Sir, in accordance with what I understand to be the opinion of the House, I will now proceed simply to lay the Bill for the Government of Jamaica upon the table of the House. I will make no statement with reference to the general subject, but merely state what are the contents of the Bill. The Bill will then be in the hands of Members, who will have the opportunity of perusing and considering it before they come to debate upon it. Now, Sir, it is in the knowledge of all those who have looked into the papers with reference to the late events in Jamaica, that the Jamaica Legislature in the first place passed an Act for the revision and re-construction of their own constitution; but upon receiving from me an intimation that I should be ready to submit the question to the judgment of the House, if it were desired that I should do so, the Governor of Jamaica communicated that to the Jamaica Legislature, and that Assembly readily assented to the substance of a new form of constitution being left entirely in the hands of the Crown; and it is stated by the Governor in his despatch that the understanding of the Legislature was, that if passed by the Crown, it should be carried out in its full and plain meaning. Now, the course we took then was this:—It is our opinion that it would not be right to call upon the House, in the present state of its knowledge with respect to the colony of Jamaica, and while the inquiry that has been ordered into the recent events that have occurred there is pending, finally to determine what the form of Government for the colony should be. We think that the wiser course would be to ask the House to ratify the measure which the Legislature of Jamaica itself has arrived at—that we should undertake the responsibility and duty of providing in the manner asked from us by the Legislature of Jamaica for the Government of the colony for a period. And the intention is that the House should agree, in the first instance, to the proposal of the Crown to substitute a Government similar to that now existing in Trinidad for that which has hitherto existed in Jamaica. We propose, then, to do that, with the permission and by the sanction of the House, by Order in Council. We propose the Bill should be in force for a limited period, and that that limited period should be for three years. That will enable the House to judge of the information which they will receive as the result of the Commission of Inquiry. It will enable them to judge whether the measures taken by Order in Council, as is proposed, for the purpose of re-constituting the Government of Jamaica, are wise and salutary measures, and likely to be productive of benefit to the colony. The House will then be called upon either to make the Bill perpetual, or to furnish some other form of Government, as in the judgment of the House may be deemed expedient and necessary. The provisions of the Bill then are simply to ratify for a limited period the measures at which the Jamaica Legislature has itself arrived. If I had time to make a statement of the grounds on which the Bill is proposed it would be evident to the House that I do not propose to make any change upon temporary grounds, but on grounds permanent in their character. I do not believe that it will be desirable at any period so proximate as to be within the scope of our present horizon, either to return to the old constitution of Jamaica, or to adopt a plan of a mixed representation and nominated Council like that which was enacted in the first Bill. As I said we propose the measure on permanent grounds, but we do not think it is fair or desirable to call upon the House finally to part with its control over the subject, with the information before us and the present investigation going on. The right hon. Gentleman then moved for leave to bring in a Bill to make provision for the Government of Jamaica.

MR. BAILLIE COCHRANE put it to the Government whether it would not be better to wait till some information was received from the colony before introducing a Bill which would entirely change the whole constitution of Jamaica, with the possibility of having after a very limited period, perhaps six months, to re-construct that constitution over again?

MR. WALPOLE said, it was quite clear that the Government of Jamaica had abdicated its functions and placed the government in the hands of the Crown, and it was consequently necessary to provide some other mode of government. Did the right hon. Gentlemen intend to specify in the Bill the kind of government that, by Order in Council, would be established in the colony. [Mr. CARDWELL: No!] Then he (Mr. Walpole) thought that the right hon. Gentleman would make some little mistake there. Parliament should consider the kind of Government they intended, by Order in Council, to establish in the colonies.

SIR JOHN PAKINGTON declined at that late hour to enter into a discussion of the Bill, but would raise no objection to its introduction.

After a few words from Mr. REMINGTON MILLS,

MR. STEPHEN CAVE expressed his entire concurrence in the Motion just made by the Secretary of State. Although a change in the constitution of Jamaica had been forced upon them by recent events, yet some such measure as that now proposed by Her Majesty's Government had for many years past been deemed necessary by all who were conversant with the condition of the colony. As far back as 1839 the late Mr. Charles Buller expressed that opinion in the then House of Commons. As it was intended to assimilate the constitution of Jamaica to that of Trinidad, he could only hope that the result of the change would be to render Jamaica as prosperous as that sister colony.

Motion *agreed to.*

Bill to make provision for the Government of Jamaica, *ordered* to be brought in by Mr. SECRETARY CARDWELL and Mr. WILLIAM EDWARD FORSTER.

Bill *presented,* and read the first time. [Bill 17.]

MINES.

Select Committee *appointed,* "to inquire into the operation of the Acts for the regulation and inspection of Mines, and into the complaints contained in Petitions from Miners of Great Britain with reference thereto, which were presented to the House during the last Session." — (*Mr. Ayrton.*)

COURT OF CHANCERY (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL for IRELAND, Bill to amend the constitution, practice, and procedure of the Court of Chancery in Ireland, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 19.]

COMMON LAW COURTS (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL for IRELAND, Bill to amend the pleading, practice, and procedure of the Courts of Common Law in Ireland, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 18.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, February 16, 1866.

MINUTES.]—*Took the Oath*—The Lord Denman.

CATTLE PLAGUE.—REPORT OF DR. SIMONDS.

EARL GRANVILLE read the following letter which he had received from the inspector specially sent down on the part of the Government to make inquiries with reference to the mode of treatment pursued at Baron Rothschild's farm:—

"Veterinary Department of the Privy Council Office (Inspector's Office), Princes Street, London, S.W., Feb. 15, 1866.

"Sir,—I have the honour to inform you that, acting on your instructions, I yesterday went down to Mentmore, the seat of Baron Rothschild, for the purpose of investigating the treatment of animals affected with cattle plague, as adopted by Mr. Worms. I found on the premises 118 head of cowstock divided into several lots, but occupying yards sufficiently contiguous to each other as to afford great facilities for the spread of any infectious disease. Until Friday last, February 9, the whole of the animals had continued in perfect health; but on this day a heifer, one of a lot of twenty-four, gave indications of illness. The veterinary surgeon, Mr. Lepper, of Aylesbury, who was called to the case, recognized some of the earlier symptoms of cattle plague, and as such the animal was placed as soon as possible under the care of Mr. Worms. Notwithstanding all the attention which it received it died on the fourth day of the attack. On Saturday, the 10th instant, two other heifers were also said to be attacked with the plague, and consequently were placed aside by themselves. On Monday one, Tuesday four, and Wednesday (the day of my visit), three more of the herd were removed as being likewise the subjects of the plague. The ten animals were also placed under the care of Mr. Worms, who has since superintended all the details of their treatment and general management. The early cases were reported to me as having been cured, and the others as going on most satisfactorily. It required but little knowledge of the diseases of cattle to at once see that none of the ten animals had been, or were, the subjects of any serious disease; and, after giving to each of them a careful examination, I failed to detect the slightest symptom of cattle plague in any one of them. Whether plague will, under the peculiar circumstances of the case, be developed in the herd remains to be seen, but should the opinion of Mr. Lepper be correct as to the cause of the death of the first animal, only a few days can pass without determining the point.—I have the honour to be, Sir, your obedient servant,

"James B. Simonds.

"The Clerk of the Council."

The Earl of ELLENBOROUGH asked the noble Earl whether, in connection with this subject, he would consent to lay on the table a copy of a letter which had been published in the newspapers, he apprehended by the authority of the Government, about three weeks after the plague first broke out. It was from the Consul at Warsaw, stating that a disease had broken out in Poland in 1857, such as was represented now to exist in this country, but in no case did it extend itself to any part of the country where the water was impregnated with iron, and that cures had been effected in other parts of the country by giving animals water in iron vessels. He was astonished to find that a letter so remarkable had failed to attract public attention, and that so simple a method of treatment had not been resorted to, at all events, experimentally.

Earl GRANVILLE said, that the noble Earl's suggestion should not be forgotten, but did not anticipate any very favourable results from the course of treatment indicated in the letter.

The Earl of ELLENBOROUGH said, he had met the other day a gentleman who had lost a good many cattle by the plague, and on mentioning the Consul's letter to him he said it was a remarkable fact that an animal which had been in the habit of drinking from an iron vessel was the only animal he had saved.

HABEAS CORPUS SUSPENSION (IRELAND).—NOTICE.

Earl RUSSELL: My Lords, I have to ask your Lordships to sit to-morrow in consequence of the condition of affairs in Ireland. The Lord-Lieutenant, on the advice of the Lord Chancellor of Ireland, the Chief Secretary, and other persons, has expressed the opinion that it is absolutely necessary, considering the present state of the country, to ask for the suspension of the Habeas Corpus Act. Her Majesty's Government have therefore resolved to make the proposal to suspend the Act, and the Secretary of State for the Home Department will do so to-morrow in the other House of Parliament. When a similar Motion was last made, the Bill was introduced at twelve o'clock on a Saturday, and passed through all its stages in the course of that day. Your Lordships will doubtless agree that, if the necessity for such a course exists, no time should be lost; and I must, therefore, ask your Lordships to put yourselves to the inconvenience of meeting to-morrow at four o'clock, when the matter shall be laid before you.

The Earl of DERBY: The proposal made by the noble Earl indicates a very serious state of affairs. Of course, it will be for Her Majesty's Government to justify to this and the other House of Parliament the course proposed; and if the other House should be so satisfied of the gravity of the occasion—and no doubt they will have sufficient evidence laid before them—as shall induce them to consent to take so strong a step as suspending all the Standing Orders for the purpose of passing the suspension of the Habeas Corpus Act, I am quite sure your Lordships will be unanimously of opinion that in such a state of affairs it would be neither expedient, desirable, nor consistent with your duty to interpose a moment's delay. Therefore, my Lords, as far as I am concerned, if the House of Commons should think fit to suspend all their Standing Orders for the purpose of passing a Bill, which I presume it is the intention of the Government to lay before them during the morning sitting of to-morrow, I should offer no opposition to it when it is laid before your Lordships in company with a statement from Her Majesty's Government, and backed up by the authority of the House of Commons. And when I say I should be prepared to assent to the passing of the Bill under the circumstances, I trust we shall have at the earliest possible opportunity such a statement from Her Majesty's Government as will justify us in having passed so strong a measure as that proposed.

LIFEBOATS ON THE COAST.

OBSERVATIONS. MOTION FOR A RETURN.

The Earl of MALMESBURY, in drawing the attention of Her Majesty's Government to the Deficiency of Lifeboats and other Means of saving human Life on the Coasts of Great Britain and Ireland, desired to state that any observations he might make had no reference to any particular Member of Her Majesty's Government, but to the Government as a whole; and he would express the opinion that it felt less deeply than it should the necessity of providing means for the preservation of human life upon the coast. The present stormy season had produced ample evidence that the means provided were insufficient; and he would particularly direct the attention of the noble Duke at the head of the Admiralty (the Duke of Somerset), as well as the President of the Board of Trade, to that statement. It was remarkable that this great maritime country, having the largest Royal and mercantile fleet in the world, should, until a few years ago, have been so deficient in this respect. In 1850 only twelve lifeboats were employed upon the coast of Great Britain. Since then, they had largely increased in number; but in all cases they had been built, kept in repair, and navigated at the expense of private persons. The subscriptions collected from charitable persons by the Royal National Society for this purpose amounted to about £30,000 a year. Of the noble institutions that had been established in this country, none was more noble, or more creditable to the honour of England than this. The Institution, notwithstanding it was supported by voluntary contributions, and received no aid from the State, had done wonders. During the past twenty years, or some similar period, it had been instrumental in saving 15,000 lives. The leading members of the Institution had told him that they would still rather continue to be left to themselves—that they wanted no subsidy, or other assistance from Government, and they believed that a subsidy would diminish their contributions. He (the Earl of Malmesbury) was rather astonished at that statement, because he had always found that when subscriptions were asked for, people were ready to give if certain others would contribute also. But the great question was, whether, with all its zeal and activity, the Institution was capable of fulfilling the duties which it took upon itself. The members believed that it was, and they had such confidence in it that, quoting the returns of the Coastguard officers, Lloyd's agents, and others, they declared that no part of the coast was unprovided with a lifeboat where one was needed, or there were a sufficient number of resident fishermen and boatmen to justify one being provided. Mr. Lewis, the Secretary of the Institution, had called upon him and left him a map of Great Britain, which showed where lifeboats were stationed, and also indicated where wrecks had taken place. From this chart he found that on a most dangerous part of the coast of Scotland no lifeboat was stationed, and on the west coast of Ireland only one lifeboat was stationed from the north to the south. This conclusively showed, in his opinion, that the Society had not sufficient machinery at its command completely to do the work it proposed to itself. On Sunday last the storm which swept the English Channel was one of the heaviest ever known, the wind blew at a strength of 40lb. upon the square inch, while the maximum pressure in Great Britain seldom exceeded 30lbs. or 35lbs. The coast between Poole and the Solent was much exposed, and only one lifeboat was stationed there. Near where he resided, at Christchurch, there were open roadsteads, exposed to southerly and westerly winds. On Sunday, when the storm was at its height, a brig was in danger, some 200 or 300 yards from shore. It was thought no common boat could live in the sea that raged there; but a gallant act was performed by some men in a fishing-boat, who put off and saved four of the crew of seven. The rest died from exhaustion; but every fisherman on the coast was ready to declare, that if succour had reached those men earlier, they would all have been saved. Why, then, was there no lifeboat at Christchurch? He found on referring to the chart that Christchurch had been transplanted to the mouth of the Southampton Water, and if the position assigned to it had only been correct, of course no lifeboat would have been required. He also learnt that the officer of the Coastguard had been asked if there was a sufficient number of boatmen in the neighbourhood to manage a lifeboat, and that his answer was that there were sufficient boatmen, but none who could be depended upon in case of emergency, unless they were remunerated for their services. He also stated that he did not know how an honorary committee could be formed among the neighbouring gentry for the purpose of managing the lifeboat station. He certainly could assert that, as far as he himself was concerned, he had never been asked to join such a committee, and he would assure their Lordships' that, if he had been, he should with pleasure have done what he could to make himself useful. He would, if required, hand in the paper from which he had obtained this information, although he would not mention the name of the Coastguard officer who, with such complete ignorance upon the subject, had yet given such advice to the National Lifeboat Institution as had prevented them from placing a lifeboat at that spot. A coroner's jury had returned a verdict in the case of the men drowned upon the foundering of the brig to which he had alluded, and in that verdict they expressed their opinion that life might have been saved if the Coastguard had rendered the fishermen that assistance which they ought to have done in preparing the boat. He thought that the Government ought to afford assistance in some way or another to this noble Institution. It was not, in his opinion, creditable to this great maritime country that the rescue of our imperilled seamen should be entirely left to the care of private generosity and benevolence. The Government had certainly done a good deal, but in the last and most pressing emergency, they refused to lend a helping hand to those who were carrying on the commerce from which this country derived its wealth and importance, and our seamen were indebted for their rescue solely to this great and noble Institution.

The Duke of SOMERSET said, he quite agreed with his noble Friend that the National Lifeboat Institution was one of the noblest of the many noble institutions established by the private benevolence of the country, but he should strongly deprecate any interference with its work, because he believed such interference would only be attended with injury. If the Government undertook to do any part of the work now performed by the National Lifeboat Institution they could not avoid clashing. As the noble Earl had not informed him beforehand of the charge which he intended making against an individual branch of the Coastguard, he had of course been unable to make any inquiries into the circumstances. He could only say that the Coastguard all along our coasts had contributed largely towards saving life and property. In 1864 the value of property saved through their instrumentality amounted to £740,000, and the number of lives saved was 598. In the first three-quarters of last year they had saved 432 lives, and £390,000 worth of property. During the last three months the number of lives and the amount of property saved was proportionately still larger. If there was any case in which the Coastguard had not done their duty it must be an exceptional one. They were constantly ready to risk their own lives in the hope of rescuing the property and the lives of others. But it was not correct that the National Lifeboat Institution was not in any way assisted by the Government. The Board of Trade allowed £18 to each lifeboat when they were reported well manned and ready for cases of emergency. What the National Lifeboat Institution did was to place a lifeboat on those parts of the coast where they found the fishermen ready to drill and be trained, and offers of boats had been made to the National Lifeboat Institution which they were as yet unable to accept, because they could not find the men to undertake their management. He had no doubt that if the Government were to take upon themselves that duty their interference would be destructive of the National Lifeboat Institution; and he would remind their Lordships that the Society had excited so much admiration in France that the French Government had given their countenance to the establishment in their own country of one of a precisely similar character. The founders of that French institution had applied to their Government for assistance; but the Emperor, with that sagacity which distinguished him, had refused to accede to that application, and had stated that he would not in that matter interfere with the generous and benevolent action of his people. He admitted the excellence of the boats possessed by the Institution, and he had had some of them copied and sent to the West Coast of Africa, where they were of great advantage in landing through the surf. With regard to the rocket stations, he had to observe that they were furnished at the expense of the Government, that those stations at present amounted to about 250, and that last year they had been instrumental in saving 180 lives. He repeated that he did not think it would be wise on the part of the Government to interfere further than they had done in assisting the National Lifeboat Institution. During the past year the boats of that Institution had saved 500 lives, besides giving rewards to the owners of shore and fishing boats who had saved 200 more. Under these circumstances, he thought it would be bad policy not to leave the action of the Institution uncontrolled.

The Earl of MALMESBURY said, he was anxious that he should not be misunderstood in reference to the Coastguard. He had referred to the report of an inquest in a particular case which had appeared in the public newspapers. The noble Duke might be right in assuming that any interference on the part of Government might do more harm than good, but that did not alter the fact that there was a deficiency in the number of lifeboats on our coast—a fact that was amply proved by the constant endeavours to increase their number. In the case of Christchurch, to which he had referred, the lifeboat, which was offered, but refused, might have saved lives last Sunday.

Lord STANLEY of ALDERLEY said, he believed the National Lifeboat Institution were ready to give the most favourable consideration to any application that might be made to them for the supply of a lifeboat; but it was necessary, before a lifeboat was stationed at a place, that it should be shown that it could be advantageously employed, and that there were a sufficient number of persons willing to come forward to form a committee. Had this been the case at Christchurch a lifeboat would doubtless have been stationed at that place, although it would not have been of much use, as wrecks off that coast were very rare, it being only frequented by small coasters. With regard to the statement which had been made that the Government did not contribute in any way towards saving the lives of our sailors, he felt bound to say that Government defrayed the whole expense of the rocket stations, which were worked by the Coastguard. That body, however, had other duties to perform, from which it would not do to take them away in order to attach them to the Lifeboat Institution—especially as the efficiency of the Institution was more likely to be preserved when under the management of private persons whose local interests induced them to give a zealous watchfulness over the efficiency of the service, than when left to the services of Government officers who might have other duties to perform. He, therefore, thought it would be better for the matter to be left in the hands of those who had so efficiently managed the affairs of the Institution up to the present time. The Institution had attracted the attention of the Emperor of the French, who had requested the association to supply him with eleven boats for the use of the coast of France; but he had distinctly expressed his objection to their being placed under the control of the French Admiralty, preferring that they should be managed as they were in England by private enterprize. He should, therefore, advise the Government not to interfere further in the matter.

The Earl of MALMESBURY repeated that the main reason why no lifeboat was stationed at Christchurch was that the Coastguard officers there declared that it was not wanted, and that there was no local committee ready to look after the undertaking. He had again to express his belief that the latter statement was unfounded.

PUBLIC LOAN ACTS.

TREASURY MINUTE 1859. OBSERVATIONS.

The Earl of POWIS rose to call the attention of the First Lord of the Treasury to the impediment to the beneficial working of the Public Loan Acts caused by the Treasury Minute of 1859, declining any future reduction of interest below 5 per cent. The noble Earl said that there were two kinds of loans to which the Treasury Minute of 1859 applied—one being loans to private individuals or companies, and the other to public bodies on the security of county and borough rates. Now, the Government might occasionally sustain losses from the want of sufficient security in the former case, and there was, perhaps, nothing unreasonable in their covering the risk which they incurred by charging as high an interest as 5 per cent; but there could be no danger of their not being repaid for the advances which they made on the security of public rates, and it appeared to him that they might in that instance reduce their terms to 3½ or 4 per cent, or the rate of interest paid on Exchequer Bills for the time being. When the new Poor Law was passed in England, it led to numerous loans for the purpose of building workhouses, in all of which the Treasury reduced the rate of interest below 5 per cent. In this way £5,000 was advanced to the parish of Paddington, and £50,000 to the City of London Union. In the case of Ireland, when the Poor Law was introduced the Treasury went farther, for they granted loans, to be repaid out of the poor rate, on which no interest was to be charged for the first ten years after the buildings were fit for the reception of inmates. That, however, was an exceptional case, and he did not wish them to do anything of the sort, but merely to go back to the old practice of making such a rate only as would secure them against loss. To show the extent to which the Exchequer Loan Commissioners had granted loans, he found that between the years 1817 and 1843 they amounted to £8,670,000, the entire loss upon which, from insufficient security, was £300,000. From 1843 to 1852 the sum of £4,000,000 was advanced in a similar manner. As regarded counties, these loans were obtained chiefly for the construction of bridges, which were now thrown on the county rate, and for the gaols and lunatic asylums. In parishes they were sought principally for the construction of workhouses, and in towns for providing burial grounds, the erection of baths and washhouses, waterworks, and various other works of local improvement. There was a note to the Return he had just quoted (which was a Return made to the House of Commons in 1854), which stated that the cost to the country of the loans so made averaged 3 per cent, and as the loans were made at 3½ and 4 per cent, or Exchequer Bill interest, the Government had not incurred any loss. It further said that on the loans in Great Britain the profits were beyond the losses by bad debts. He was not asking for any eleemosynary grant. All public bodies would rather borrow money of the Public Loans Commissioners than from any private source, because they could repay it by instalments—an arrangement which was not liked by the private lender, who, when his money was returned in so fragmentary a manner, would have continually to be making new investments, and be put to new expenses. By the Treasury Minute of 1859, it was announced that no further advances could be made at a lower rate of interest than 5 per cent, and for this step various reasons were assigned, which in his opinion were wholly insufficient to justify the Government in making the change, and were rather those of an usurious money-lender than those of the Government of a great nation. Many burdens were now thrown by the Legislature upon the land, to the exclusion of any other kind of property, and they had, therefore, a right to every assistance the Government could give them without cost or risk to the country, and thus enable them to bear those burdens. What he complained of was that a practice which had been of such value to the country should be abrogated, not on any sound reason, or on account of any loss to the State, but because the Treasury thought fit to issue a Minute on the subject. He had not thought fit to make any Motion on the subject, but would be content to bring it under the notice of the noble Earl at the head of the Government, who, he trusted, would cause the Minute of 1859 to be reconsidered.

EARL RUSSELL said, there could be no doubt but that the advances made by the Public Loans Commissioners was a great advantage to the borrowers; but the noble Earl (the Earl of Powis) found fault with the change made in the rate of interest by the Treasury Minute of 1859. By a recent Act of Parliament the Treasury were empowered to lay down in their discretion rules under which loans were to be made. In 1856 they made a rule that the rate of interest should vary with the common rate of interest in the market; but it was obvious that if there was justice in this arrangement there was uncertainty and inconvenience. The Loan Commissioners were not in the position of ordinary money-lenders, and if persons could obtain money at a cheaper rate they would not go to the Commissioners. What the Treasury decided in 1859 was that the rate of interest should be fixed at 5 per cent, which was neither very high nor very low, and fair to all parties. Certain exceptions had, however, been made under the Act of Parliament. In laying down that rule the Treasury had acted wisely, and he was not disposed to make any alteration.

LORD OVERSTONE said, that these loans, though nominally loans of money, are in reality advances of the capital of the country; and what the Government did was to interpose its character and credit under the authority of an Act of Parliament. By this operation the capital was withdrawn from its natural and therefore legitimate channels of useful employment, and grave doubts may be fairly entertained whether the Government was justified in interposing in this way. With regard to the rate of interest, he thought that that should be fixed rather above than below the market rate. The noble Earl who introduced this subject complained that in 1859 a regulation was made prohibiting the advance of public money at a lower rate of interest than 5 per cent. It was remarkable that since that period there had been a constant tendency in the rate of interest to rise, and he was surprised that the present moment should be taken to recommend the loan of Government money at a lower rate. It was well known that in consequence of recent legislation speculation had been greatly stimulated, a result which he had from the first anticipated, and the country was committed to undertakings which involved a far larger amount of capital than it could command, and the rate of interest in the City had been for some months 3 per cent higher than the continental markets. This country used to supply capital to all the markets in the world: but the case is now reversed, and this country is now compelled to seek capital from other countries by the high rate of 8 per cent interest; yet this was the moment taken to urge the Government to interpose its credit to divert the capital from all private concerns to support those public works. If the Government was called upon to find capital for the construction of public works, surely justice, reason, and policy pointed out that they should not lend it at a lower rate than the market value.

CATTLE DISEASES BILL.—QUESTION.

The Earl of AIRLIE, who had given notice of his intention to ask the Government Whether, in the event of the Cattle Diseases Bill coming up to the Lords before the 17th instant, they intended to proceed with it on that day, said, that when he gave that notice he thought it possible that the Bill might reach their Lordships' House earlier than it was now likely to do; but he would take the present opportunity of stating that several noble Lords on both sides of the House were of opinion that the Bill should be passed as quickly as possible.

Lord DENMAN said, that as their Lordships were to have an imperfect Bill, which could not be altered in their House, he wished, as he had attended important meetings both yesterday and to-day; at which complaint was made of ignorant persons insisting upon visiting diseased cattle in spite of all remonstrances, that some clause might be added to the Bill, to render persons liable to punishment who entered infected farms. He had himself warned off three packs of hounds which were kept separate and at large on different farms, and he had told those who were with them that they would be chargeable with malicious trespass if they persisted in hunting after notice, but he was very anxious that a stop might be put to all unnecessary danger of infection.

Lord DUNSANY asked whether the Government had received information that any cattle had been smuggled into Ireland from Scotland; and, if so, what precautions had been taken to prevent it; also, if it was the case that an Order in Council had lately been issued permitting the importation of the skin of sheep or lambs under certain conditions into Ireland. If such were the case it was desirable that the fact should be generally known, in order that the people of Ireland might be put on their guard against the purchase of cattle under such circumstances.

Earl GRANVILLE was understood to say that 126 sheep had been imported from Scotland into Ireland in the month of October last; that the importation was contrary to law, and that the parties perpetrating the offence would be prosecuted. It had not come to the knowledge of the Government that the attempt had been repeated. It was true that an Order in Council of the character of that to which the noble Earl referred had been issued.

House adjourned at a quarter before Seven o'clock, till to-morrow Four o'clock.

HOUSE OF COMMONS,

Friday, February 16, 1866.

MINUTES.]—Supply—*considered in Committee* —Committee [R.P.]

Public Bills—*Committee*—Cattle Diseases [6]; Cattle Plague* [7].

Report — Cattle Diseases [6]; Cattle Plague* [20].

EXTENSION OF THE UNION CHARGEABILITY ACT TO SCOTLAND.

QUESTION.

Mr. EDWARD CRAUFURD said, he would beg to ask the Lord Advocate, Whether he is prepared to extend to Scotland the beneficial principles of the Union Chargeability Act passed last Session for England by introducing a measure to charge the relief of the poor in each county in Scotland on a common fund to be raised over the whole county?

The LORD ADVOCATE: I have no intention, Sir, of introducing a measure on that subject.

POLICEMEN IN PLAIN CLOTHES.

QUESTION.

LORD HENRY LENNOX said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the employment of Police Constables in plain clothes at night in the suburban districts of the Metropolis, and to the serious results which have already occurred, and are likely to occur in consequence; and especially to the recent case at Sydenham, when Police Constable Maddock was severely wounded on the highway by a man named Joseph Ferguson, now confined in Maidstone Gaol, but who at the time of the assault believed that he was only defending himself and his property against the attacks of a robber?

SIR GEORGE GREY said, in reply, that he did not know anything of the particular case to which the noble Lord had referred, and, consequently, he could give no information in regard to it. With respect, however, to the general question as to the employment of policemen in plain clothes in the metropolis, he might state that the practice was adopted in 1862 in consequence of the number of garrotte robberies which had taken place in London, and it has also been followed in certain districts where numerous burglaries had been committed. It was ascertained that those robberies were committed during the absence of the ordinary police constables in uniform, who were watched on their rounds till they were away from the spot. It was necessary, in order to put a stop to such robberies, to employ constables in plain clothes. The report of a recent trial showed that a certain class of thieves very closely watched the movements of the police.

LAW OFFICERS (IRELAND).

QUESTION.

COLONEL LESLIE said, he rose to ask the Attorney General for Ireland, What arrangements are made to carry on the Government business in that Country without the presence of any Law Officer, the Law Adviser, contrary to precedent, being now in Parliament, as well as the Attorney and Solicitor General?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON), in reply, said, that he was not aware that any charge had been made, or could be made, as to the mode in which the business of the Irish Government was being carried on. It was true that he and his Colleague had seats in the House, but that did not in the least interfere with the proper discharge of their duty. In fact, that duty was discharged as effectually in London as in Dublin. With respect to that part of the question which referred to the circumstance of the Law Adviser having a seat in that House, he thought it right to correct any misapprehension which might exist as to the hon. Member for Dungarvan, who did not now fill the office of Law Adviser of the Irish Government. The hon. Member resigned that office, and his resignation was accepted before the general election; but as, in the then state of affairs in Ireland, it was not deemed expedient to make any change, he (Mr. Lawson) had requested the hon. Gentleman to continue to assist him. This the hon. Gentleman had done, but he received no salary for his services. With respect to the last part of the question of the hon. and gallant Member, which seemed to complain of there being so many of the Irish Law Officers in the House, he (Mr. Lawson) must confess that he did not see why that fact should be brought forward as a charge against the Government. Indeed, if his memory served him right, the Government had been taunted on former occasions on account of the absence of the Irish Law Officers from that House.

CATTLE PLAGUE BILL.—QUESTION.

An hon. MEMBER asked, Whether, considering the extreme urgency of the case, the Cattle Diseases Bill would be proceeded with to-morrow?

THE CHANCELLOR OF THE EXCHEQUER: It is not likely, I think, Sir, in any event, that the House will be at liberty to consider the Cattle Plague Bill to-morrow. I may take this opportunity of making the Motion, That the House at its rising do adjourn till twelve o'clock to-morrow. The cause of this is that an important matter of public business with respect to Ireland may have to be brought forward by my right hon. Friend the Secretary of State for the Home Department, who will in a few minutes proceed to give notice of his Motion.

MR. BRIGHT: I wish to ask the Secretary of State for the Home Department, with regard to the Bill which is coming on for discussion very soon, whether it is intended to continue the experiments which have been made with a view to discover some cure for the cattle plague. I met a gentleman to-day who has been on the Commission or Committee, and he told me he supposed that after the decision of the House last night all experiments of every kind in the way of medical or scientific research would now be necessarily put a stop to. Well, I have expressed my opinion as to the folly of that proceeding, and I wish to ask the right hon. Gentleman whether it is intended to continue those experiments, or not.

Sir GEORGE GREY: These experiments were not made by the Government, but by the Commission, and I do not think that any important result has followed from them. They only show how completely all attempts to cure the disease have hitherto failed. The clauses in the Bill relating to the slaughter of cattle must, of course, be carried into effect, and all I can say is that it will be the duty of every one to obey the law.

Mr. BRIGHT: The same gentleman told me that at York forty-five animals had been cured. ["Order, order!"]

Lord JOHN MANNERS said, he had a suggestion to make with reference to the Returns which professed to show the progress of the cattle plague. The Returns for the last fortnight were valueless, in consequence of many of the inspectors not having sent in their Returns. That, of course, tended to perplex the public mind, as the Returns gave no information of any kind, and tended rather to confuse the minds of those who consulted them. He begged leave to suggest that it would be better to issue the Returns once a fortnight. At all events, some method should be devised so that the Returns would correctly represent the progress of the disease in the various counties in England and Scotland.

JAMAICA GOVERNMENT BILL.

QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for the Colonies, Whether he intends that the Jamaica Government Bill shall be the first business on Monday?

Mr. CARDWELL: I am afraid, Sir, I cannot give a positive answer to that Question. The only answer I can give at present is that I shall not be prepared to bring it on except at an early hour of the evening.

Motion *agreed to*.

House at rising to adjourn till *Tomorrow,* at Twelve of the clock.

HABEAS CORPUS SUSPENSION (IRELAND.)—NOTICE.

Sir GEORGE GREY: Sir, I rise, with deep regret, and only under the strongest sense of what the Government believe to be an absolute necessity, to give notice that to-morrow, at Twelve o'clock, I shall move for leave to bring in a Bill to suspend for a limited time the Habeas Corpus Act in Ireland.

CATTLE DISEASES BILL—[Bill 6.]

COMMITTEE.

[The Bill having been *Committed, Re-committed*, and *Considered as Amended*, without having been *re-printed*, great difficulty has been experienced in following out the Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to*, with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 22.]

Order for Committee read.

Mr. HUNT said, he wished to put a Question to the right hon Gentleman the Secretary for the Home Department relative to the course of proceeding with the Government measure for the suppression of the cattle plague. He understood from the right hon. Baronet that the Government would be willing to consent to this arrangement—in fact, it was suggested by the right hon. Gentleman to his consideration—that the Government should proceed with their Cattle Diseases Bill, accepting the decision of the Committee on Thursday night with regard to the prevention of the movement of cattle by railway; that the question of the movement of cattle in other ways should be left for consideration in a future Bill; that the clauses discussed on Thursday night should terminate with the words added by the Committee; that the clauses relating to compulsory slaughter, compensation, and rating should be retained; and that the remaining clauses should be transferred to the future Bill; or, if the Government wished it, considered as part of the Bill he had himself brought in.

Sir GEORGE GREY said, he had told the hon. Member in reply to a note from him that he would readily concur in an arrangement that would facilitate the speedy passage of the Bill. In asking for leave to bring in the Bill, he stated that he thought it possible some of the provisions might be separated from others in order that those which were most urgent might be passed without delay; and on the part of the Government he was quite ready now to take that course. The clauses that related to slaughtering and compensation had been agreed to by the House; those that related to rating and the funds out of which the compensation was to be paid had not, and it would be necessary to proceed with those. After so large a majority had affirmed that for a limited time no cattle should be moved by railway, the Government would defer to the decision. While retaining their opinion as to the amount of serious inconvenience that might arise, they would not think it respectful to the House to reopen the question. Therefore he was quite willing to take the Bill, with the clauses relating to slaughtering, compensation, and rating, that prohibiting the removal of cattle for a limited time by railway, and two or three other clauses, inclusive of those relating to penalties, with respect to which he thought there would be no difference of opinion, leaving for consideration in another Bill the regulations with regard to the removal of cattle on highways, and other matters of a more permanent character, the consideration of which might occupy a considerable time. The result of the arrangement would be that the orders which were now in force would continue in operation until the 1st of March, and might be continued for a longer time, so far as they were not inconsistent with any of the provisions of the Bill.

MR. HUNT said, he wished to know whether there would be any objection to his Bill being committed *pro formâ* that evening, in order that he might insert certain Amendments, and so give the House an opportunity of considering them.

SIR GEORGE GREY said, that there would not be the least objection.

Bill *considered* in Committee.

(In the Committee.)

Clause 21 (Regulations as to Movement of Cattle).

MR. HUNT, who had given notice of an Amendment, to insert after "1866" that

"No cattle shall be moved along any highway, or any canal navigation, or river, except as in this Act expressly authorized,"

said, that in accordance with the arrangement made he proposed to withdraw the Amendment, and to strike out the rest of the clause after "1866."

SIR FITZROY KELLY said, he heard the proposition to strike out the rest of the clause with great regret. He approved the Resolution come to with regard to the movement of cattle by railway, but it appeared to him that the measure would be ineffectual if the passage of cattle along highways was to be left unchecked. Local authorities would adopt diverse regulations, which would occasion great difficulty, more especially in the contiguous parts of adjoining counties, such as Leicester and Derby.

THE CHANCELLOR OF THE EXCHEQUER said, he thought his hon. and learned Friend did not apprehend quite distinctly the question at issue. The question was not, as he seemed to suppose, whether the subject of the movement of cattle on highways was to be abandoned; it was not even whether it was to be delayed. That was a question not yet discussed, and one which was almost certain, in the opinion of the best judges, to create a good deal of discussion. The question now under consideration was whether they should delay the operation of that which they had already fixed upon until they could also fix upon something else which might be desirable or not, but which the House had yet to decide whether it was or was not practicable. It did not, in his opinion, seem desirable to stop the operation of the clauses in question. The Bill, in any case, must be one of compromise, and he hoped the same disposition would be shown in all quarters as would be manifested by the Government in regard to the decision of the House, which the Government last night had most reluctantly yielded to.

LORD JOHN MANNERS said, he gathered that all the provisions relating to the movement of cattle on the highways were to be postponed. He thought it very important the House should know when the second Bill of the Government would be introduced, and whether it was likely to become the law of the land by the 1st of March next, when he understood the operation of the Orders in Council came to an end. What would be the condition of the question after the 1st of March, during the intervening time, if the second Bill proposed to be introduced did not become law by that time? He understood from the Home Secretary that all the clauses relating to compensation were to be proceeded with now, but that those which related to the removal of cattle by highway were to be postponed. He should have thought that the clauses which pointed out the funds from which compensation was to be derived would be more likely to create angry and protracted discussion than those which related to the movement of cattle by highway. If that were so, would it not be better that the clauses which related to compensation should be postponed rather than the others?

Sir GEORGE GREY said, the noble Lord was mistaken in supposing that the Orders in Council would expire on the 1st March. They would certainly do so unless renewed, but the same power under the Act of Parliament which authorized the Council to make those Orders would enable it, if the necessity arose, to continue them for a longer time than was originally intended. He had that morning received a communication from the hon. Member for Northamptonshire (Mr. Hunt), to the effect that he wished the House to affirm the principle as to the non-removal of cattle on highways, while at the same time he was desirous to postpone the consideration of the exceptions. He (Sir George Grey) objected to that on the ground that it was really difficult to determine how the principle would work without seeing the exceptions to it. His advice to the hon. Member was to commit his Bill *pro formâ*, and then the House would be able to see his various exceptions. If they were such that the hon. Gentleman could satisfy the House that no inconvenience would arise from the provision with respect to removal of cattle on highways, then they could proceed with a measure based upon that principle. In the meantime the Orders in Council would remain in force.

Mr. HUNT said, that he had been prepared to proceed with his Bill through every stage, before entering into the arrangement to which he had just come with the Government. He had all his exceptions ready, and had even stated to the House on the preceding night what those exceptions would be. He thought it would be convenient that hon. Members should see those exceptions in print, and ascertain if they were sufficiently numerous, or were put in proper words. With that view he had suggested that his Bill should be committed *pro formâ*, to give hon. Members an opportunity of seeing his exceptions.

Mr. OWEN STANLEY said, he thought there should be a clause to the effect that every railway, canal, and other company engaged in carrying dead meat, should, as soon as the meat was taken out, cause every penfold, truck, &c., to be properly cleansed, disinfected, and washed out. There should be powers of inspection for this purpose. They had found at Holyhead the trucks in a filthy state, and had written to every department of the London and North Western Railway Company to have them cleansed, but nothing effective was done. In fact, they were laughed at by the railway authorities, because they had no power to compel those parties to have their trucks cleansed. Complaints had been made to the Home Office and to other departments, both by the Member for Carnarvonshire and himself, but without effect. All that was done was to forward the letters to the London and North Western Railway Company, and no notice was taken of them. He had received a letter from the chief constable at Holyhead, stating that on the morning he wrote twenty or more trucks had come in in a most filthy state.

Sir JAMES FERGUSSON said, he wished to ask the Chairman if it were competent for the hon. Member on this clause to discuss this subject of cleansing the trucks.

The CHAIRMAN: We are now on the 21st clause, relating to the removal of cattle.

Sir GEORGE GREY said, that the hon. Member would see that the subject to which he had called attention was dealt with in a subsequent clause.

The CHAIRMAN: Does the hon. Member for Northamptonshire wish to withdraw his Amendment?

Mr. HUNT: I propose to withdraw the second paragraph after "1866."

Sir FITZROY KELLY said, supposing there were three or four counties adjoining each other in which, perhaps, the cattle plague might not have broken out, or in which it had subsided, and that the local authorities either had not made any regulations, or that those regulations had expired and not been renewed, he wanted to know whether, with respect to these three or four counties, there was to be no restriction and no legislation at all?

Sir GEORGE GREY said, that there were general regulations applying to all counties, requiring that every owner of diseased cattle should give notice to the inspectors. A penalty was imposed by the present Orders on any person who removed a diseased animal, or any animal that had been in contact with it, from one place to another, without the sanction of the Government inspector. The Orders would remain in force until Parliament had decided respecting the removal of cattle by highway.

MR. LOCKE-KING said, he wished to call attention to the inconvenience that must arise from at once stopping suddenly the supply of cattle by railway to the metropolis. If it were so stopped, where was the supply for the metropolis to come from. If time were given for preparation he had no doubt that a great number could be obtained, but the machinery was not ready, and the distress in London would be very great. How could the dead-meat markets supply the wants of three millions of people. He therefore suggested that the clause should come into operation at some more distant day than was named.

MR. HUNT said, that arrangements were now being made by railway companies to bring up dead meat. He believed that butchers and sales-masters in London would be enabled, by sending orders by telegraph, to get meat in sufficient time.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.* [*cl.* 17.]

Clauses 22 to 24 *struck out.*

Clause 25 (Movement of Cattle, &c., within the Metropolis).

SIR WILLIAM JOLLIFFE said, he understood the clause was to be withdrawn, but he desired to call the attention of the Government to the fact that the present dead-meat market was decidedly inadequate to meet the supply of dead meat at present required for the metropolis. He believed that great improvements were in contemplation, and that already great improvements had been made; but it was a matter which the Government, in his opinion, ought to take up with a view to see what could be done by means of loans for new markets or otherwise to remedy this great defect. This was the more imperative as some of the local authorities of London were Members of the Privy Council. A great number of persons living on the Surrey side of the river were engaged in the hide trade, and cutting off the supply of hides from them would have an effect similar to that which cutting off the cotton supply would have in Lancashire. He would suggest the propriety of establishing a market for sea-borne cattle on the south side of the Thames.

MR. LOCKE said, he agreed with the hon. Baronet that the establishment of a foreign meat market on the south side of the river would be a great benefit.

SIR GEORGE GREY said, the House would understand that in this clause the Committee were making no change in the existing arrangements, for it merely embodied the Orders in Council applicable to the metropolis. By existing regulations, coupled with the decision come to by the Committee on the preceding evening, no cattle could leave the London district alive, and none come by railway from other parts of the country into the metropolis. But London being the chief port for the importation of foreign cattle, such cattle could be brought to the London market, and it would be a serious consideration, when the Committee came to restrict the movement of cattle on the highway, how far that could be done in London consistently with the necessary supply of meat to the metropolis.

Clause *struck out.*

Clause 26 (Notice of Disease in Cattle).

MR. ARTHUR PEEL said, he had no objection to the principle of the clause, but he wished to say a few words with reference to the mode of carrying it out. Every owner of a diseased animal was to give notice to the inspector or local authority, and by the 13th clause the local authority was to order every such animal to be destroyed. Now, the inspectors were not very numerous, and they might suppose the case of a farmer giving due notice, and the inspector, through being over-worked or from neglect, failing to come to inspect the animal until after it had died. It could not be said to have been slaughtered, but surely the farmer would be entitled to compensation. As, however, the clause stood, he would not be able to obtain it. It was a question whether he had not a legal remedy against the inspector for his neglect, and it was probable that if the farmer belonged to an association the latter also might have the same remedy. He wished to ask whether, in view of such cases, it would not be advisable to make compensation where notice had been given, and where the animal had died before it was inspected.

SIR GEORGE GREY said, the hon. Member was correct in supposing that the owner of the animal would have a right of action against the inspector if he sustained loss from his wilful neglect. That legal right would be, he thought, the best security for the inspector doing his duty.

Clause *struck out.*

Clauses 27 and 28 *struck out.*

Clause 29 (Public Exposure of Diseased Cattle).

MR. MITFORD said, that in his neighbourhood there were commons extending far and wide over the whole of the county. The farmers had the right of turning their cattle upon these commons, and it would be desirable in a subsequent clause to give them the means of ingress and egress to those places. Unless some further restrictions were, however, proposed, there would be a chance of an infected animal finding its way to these commons and propagating the disease through the whole of the county. He ventured to hope that the Home Secretary and his hon. Friend (Mr. Hunt) would see whether they could not prevent infected cattle finding their way to these commons.

Clause *struck out.*

Clause 30 *struck out.*

Clause 31 (Expenses of Local Authority).

MR. CARNEGIE said, that as the Committee had decided to adopt the slaughter and compensation principle the country would have to carry it out. He objected to the Government scheme of raising the money with which to pay the compensation as being unjust and unsound in principle. If the country wanted a man's cow, the country ought to pay for it. When the country required private property, public buildings such as the National Gallery the country paid for it ; and if the country wanted cattle from the stockholder the country ought to pay for it. By the Government proposition the assessment would fall the heaviest on those districts that had suffered the most, and those districts that had escaped the disease would escape altogether. Ireland as a breeding country would be benefited by it and ought to assist in the expense. Some counties, like that which he represented, were so thoroughly infected by the disease that he doubted whether the Act would be of much service to them. The cattle plague, however, was a consumer's as well as a producer's question, and he saw no reason why the consumer should not bear his share of the loss. It was urged that local rating would prevent fraud and carelessness, but he thought that might be attained without putting the whole of the expense on the local rates. It was not competent to him to move to take any money from the Consolidated Fund, but he suggested that if his Amendment should be carried the clause should be struck out, and the Chancellor of the Exchequer should bring forward a Bill, by which the money should be provided out of the Consolidated Fund in the first instance, and afterwards by such sanction as might be thought expedient by the House. It was also desirable to have a Bill passed as speedily as possible to prevent the spread of the disease, and he thought it would be better not to encumber the Bill with the compensation clauses, but let them form the subject of another Bill. This Bill was said to have been brought forward on the principle of justice, but instead of that it would inflict injustice, and injustice carried with it the seeds of retribution. It was but natural that those counties which were highly assessed would endeavour more to keep down the rate than to stamp out the disease, and then their costly experiment would become a costly failure. He moved to strike out the words "local rate."

MR. BARROW said, he thought the person who drew up the Bill must have presumed that by a local rate the county rate would be understood, whereas a county rate could be levied only under the provisions of an Act of Parliament specially referring thereto. The clause should, therefore, be amended so as to authorize the quarter sessions to levy a special county rate under the name of a cattle rate.

MR. AYRTON said, that before this Amendment was put he had an Amendment to propose to an earlier part of the clause. It was worthy of consideration whether they ought to raise a rate which was to be levied on the particular class that had been visited with this heavy misfortune. He had been much impressed by the able speech of the hon. Member for Westminster (Mr. Stuart Mill), because he thought that hon. Gentleman had given admirable reasons why such a rate should not be imposed. There was a very large number of stock-owners in the metropolis, and if the owners of dairies there had suffered by having had the infection introduced among their herds because we had an unrestrained trade in cattle for the benefit of the rest of the community, he could not understand why on that account those dairy-owners should be taxed for the benefit of the rest of the community. It seemed to him that there might rather be special reasons for exempting the owners of stock; but he disliked making distinctions in such matters, and preferred that they should be treated as common to all classes. He conceived that in principle the proposed charge should be a national charge. But in practice it could not be so; for the simple reason that they must give power to the local authorities, who must, therefore, be restrained in its exercise by having to bear the consequences. But for that necessity, he should contend that there would be no justice whatever in creating any local charge of the kind. The metropolis, which had done so much to diffuse the plague, and which was so much interested in the cheapness of meat, was as much concerned in the question as the farmers and landowners, and ought to bear its share of the burden. But, on the other hand, if the local authorities had the control of the money of the metropolis they would act differently from what they would do if they were themselves made responsible. He was therefore in favour of the area of taxation being co-extensive with the area of administration. He moved the omission of the words "as to two-third parts thereof" in order to raise the question.

MR. J. STUART MILL said, the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had referred to some remarks of his with reference to this subject, and as, in all probability through his own (Mr. Mill's) fault, the hon. and learned Member had not seized the point of his argument, he hoped he might be allowed, with the permission of the Committee, to repeat the substance of what he then said. The hon. and learned Member had laid down a principle which no one could dispute—namely, that taxation ought not to be partial. On that ground he urged that a particular class ought not to be taxed to defray the expense of compensation for the consequences of a calamity by which they had already suffered to so great an extent. But his (Mr. Stuart Mill's) argument was grounded expressly on this—that although they suffered more immediately, they would not ultimately suffer more than the rest of the community who were consumers of food. It followed that if they were now to tax the whole of the community in order to give a special indemnity to that class for what they suffered, they would, instead of taxing them, tax the rest of the community in order to relieve them. That was his argument, and nothing he had heard had tended to weaken it; and, consequently, that part of the provision for compensation to which the hon. and learned Member objected, the poll tax on cattle, was the only part which he considered sound in principle. It appeared to him that the valid claim for compensation was not for the burden, but for the inequality of the burden, inasmuch as some cattle owners suffered much less than others, and some not at all. The class on whom the calamity had immediately fallen would, as a class, be compensated in the natural course of things, by the increased price of meat consequent on the diminished supply; but the individuals of the class who had not suffered at all, or who had suffered less than their neighbours, should contribute for the relief of those who had not been so fortunate. In principle, therefore, the tax, whatever it might be, ought to be a rate on land only. Although the clause as it stood was very objectionable, it would be made still more so by the proposal of the hon. and learned Member for the Tower Hamlets.

MR. BAILLIE COCHRANE said, the speech of the hon. Gentleman the Member for Westminster, showed a great difference between practical and political economical views. To throw the whole burden of the cattle plague upon the land might be in accordance with deep political economical views, but he could not see how the landowner could be ultimately benefited by that. He (Mr. B. Cochrane) considered it unjust that agriculturists should have to bear the whole of the burden, and it was only right and fair that a portion of the charge should be borne by the Consolidated Fund. He denied that by relieving the counties they would act with indiscretion or extravagance, or show any want of vigilance; and he ventured to say, though the Chancellor of the Exchequer did not seem to concur in his views, that the principle best to be adopted in events of national calamity was for the whole country to sympathize with the sufferers. This was a calamity which he ventured to predict, whatever it was now, would in the end become universal, and he thought it was only just to all interests that a portion of the burden should be borne by the Consolidated Fund. That was the spirit in which they had dealt with the distress in Ireland, and with other great public calamities. A sufficient stimulus to careful management on the part of the local authorities would be guaranteed by casting the rest of the charge upon them.

Mr. EVANS said, it was not for him to object to the Motion, but he thought it only due to his constituents, the people of South Derbyshire, to say that they have not asked to have this charge thrown on the Consolidated Fund. They were willing to have it put on the county rate, and some of those with whom he had spoken did not object to a tax on cattle.

Sir WILLIAM JOLLIFFE said, he apprehended that any proposal to put this charge on the Consolidated Fund would find an impediment in the Chancellor of the Exchequer. He concurred with the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) that it would be better to have the charge laid on the county rate than to set up the complicated system of a cattle tax. The effect of this cattle disease was prospective, and the fear of it discouraged farmers from the investment of money in any kind of stock. Now, clearly it was our interest not to discourage them still more. On the contrary, all of us were deeply interested in keeping up the breeding of stock. A man who now proposed to invest capital in a dairy farm would be regarded as mad. Already the very high price of milk in the metropolis, and in other large towns, had led to this result—that those who had milch cows were knocking all the calves on the head. These young animals were being destroyed by the thousand. This would have a considerable effect on the future supply of beef. He asked the House to consider where the county rate came from. It was a rate raised exclusively from real property. Trade profits or stock-in-trade did not pay it. It was contributed to by schedules "A" and "B," a fact which ought to satisfy hon. Gentlemen that in the country districts it would come out of the land. And in towns who paid it? The employers of labour. The manufacturers paid it on their own houses and the places in which they carried on their business; but they did not pay it on their trades. One great objection to the proposed tax was the machinery for its collection. It was proposed to collect it in the same manner as the tax on horses was collected—one was to pay on the greatest number of cattle kept within the year; but it was to be remembered that cattle were more like £5 notes than horses in that respect, so often did they change hands. An enormous proportion of the cattle of this country were reared on the hills of Scotland and the mountains of Wales, and afterwards bought up by dealers. Then as to the equality of the tax. A well-bred short-horned yearling might be worth 100 guineas, while a Scotch or Welsh yearling might not be worth as many shillings. He would be the last person to object to the proposed tax merely for the benefit of the landed interest. He did so because he thought that charging the compensation on the county rate would be better for the entire community.

Mr. J. B. SMITH said, that the cattle disease was a national calamity, but this clause dealt with it as if it were a local calamity. He was afraid it would not blow over in six weeks as some supposed, but its effects might be felt for years to come. It was perfectly just that if cattle were to be slaughtered for public objects, that the owners should be compensated. The question was, out of what fund should the compensation be paid? The proposal before the Committee was to pay it by taxing only those counties where the disease prevailed. But besides this taxation, there could be no doubt the people at large would have to bear the burden in the enhanced price of meat. Some hon. Gentlemen anticipated that the price of meat might rise to double its present price, and he would not disguise his apprehensions that it would rise to a price which would be only limited by the ability of the people to consume it; but if this clause were passed to compensate farmers for the slaughter of their cattle out of the county rates, a double burden will be imposed upon the people by being obliged also to pay for the means by which the price of meat will be raised. It was quite clear that in those parts of the country where no disease existed the farmers would be greatly benefited by the enhanced price of cattle. They would be placed in circumstances of prosperity in consequence of the adversity of their neighbours, while by this Bill they are to be exempted from the payment of any county rates or other taxes whatever. It appeared to him that the only just course to meet the calamity would be, not to confine taxation for compensation to the unfortunate counties where the disease existed, and thus tax the people twice over, but to lay a tax upon all the cattle in the kingdom. Such a plan would deal justly with all interests. Farmers would be compensated for such of their cattle as were slaughtered for public objects, and for the remainder would be able to obtain higher prices; while those farmers who were so fortunate as to have suffered nothing from the disease would be great gainers by the rise of price in cattle, after having recouped themselves for their contributions to the cattle rate. This would be in accordance with the course followed in Poland under the visitation of a similar calamity. From the reports forwarded a short time back by the British Consul at Warsaw, it appeared that a law had been made enacting that all suspected animals should be slaughtered indiscriminately, and the objects most likely to spread the disease destroyed or purified. The application of this enactment was intrusted to local committees composed of landed gentlemen who had the strongest possible interest in checking the contagion, which was apparently an entire departure from the custom of intrusting the execution of laws to Government functionaries so general on the Continent. The committees, it was further stated, had acted with great zeal, and were authorized to grant compensation to proprietors of stock slaughtered by their orders, the funds for that purpose being levied by means of a rate imposed on the entire cattle of the country. It seemed to him that that was the only just principle to adopt, and that the present plan would be most unjust, since it went to tax those who had sustained serious loss, and exempted those who had sustained none at all. What was this but saying, "To him that hath shall be given, but from him that hath little shall be taken away even that which he hath."

SIR JOHN PAKINGTON said, that without saying whether he should or should not vote for the Amendment of the hon. Member for the Tower Hamlets (Mr. Ayrton), he would suggest to the hon. Member for Forfarshire (Mr. Carnegie) that a different mode might be adopted of arriving at the result he wished—namely, the deciding what was the best mode of raising the fund for compensation. The hon. Member for Forfarshire proposed to leave out the words "local rate." Now, if the hon. Gentleman merely left out those words, he would surround the question with some degree of confusion. He would therefore ask the hon. Gentleman if he would object to alter the clause by inserting the words

> "Shall be defrayed, two-thirds thereof out of the local rate as defined by this Act, and the remaining one-third out of such monies as are provided by Parliament for that purpose."

If the hon. Gentleman had no objection to adopt the suggestion, he for one would go into the lobby and vote for that proposal. He agreed with the hon. Member for Stockport (Mr. J. B. Smith) that the cattle plague was a national misfortune, and he could not think it was either just or expedient to raise any part of the compensation fund by a rate on cattle. He thought the hon. Baronet the Member for Petersfield (Sir William Jolliffe) had already disposed of that point. He had, however, no objection whatever to a large portion of the funds being provided by a rate on the rateable property of the country. The money would be locally administered, and therefore it was but fair that a large portion should be paid by owners of property. Still, the misfortune was a national one. There was not a man, woman, or child who would not suffer for it. He submitted, therefore, to the Committee that a portion of the compensation fund ought to come out of the general revenues of the country. In conclusion, he would ask the hon. Member for Forfarshire whether he had any objection to raise the question fairly by adopting the Amendment which he had proposed.

MR. CARNEGIE said, he was much obliged to the right hon. Gentleman for having made the proposal, and would cordially accept the suggestion. He believed, however, that the Motion now before the House would necessarily take precedence of it.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have on various occasions during these debates rcommended the spirit of mutual compromise. I may refer, as a proof that we are animated by this spirit, to the course taken by the Government in acquiescing in the vote of last night. The principle, however, affirmed in that Resolution has its limits, and the hon. Baronet the Member for Petersfield (Sir William Jolliffe) has done me no more than justice in supposing that I should not be disposed to consent to a charge on the Consolidated Fund. To adopt a measure of that kind at a moment's notice is manifestly impossible, and I feel that so strongly that I think it is only fair that I should make this statement in the discharge of my public duty. It would be a thing so novel, so inexpedient, so unexpected, so entirely in the nature of a surprise after what has taken place in this House, that the rapid passage of these enactments would be thereby made entirely impossible. It is necessary to import into the consideration of this question motives of policy very broad and very deep in their character, such as could not possibly be disposed of at a moment's notice. I shall enter upon the subject more fully if the proposal comes to the subject of substantive consideration in discussing the latter part of the clause. The question at present before the House is that raised by my hon. Friend (Mr. Ayrton) with respect to the cattle rate, and his proposal is that the whole of this amount should be raised out of the local rate. Now the question between cattle rate and local rate is an entirely different question from that of the local rate on the one hand and the Consolidated Fund on the other. My hon. Friend has himself stated several objections to contributing towards the compensation of cattle owners out of the general revenues of the country, and the Royal Commission took a strong view of the subject. The right hon. Gentleman the Member for Calne (Mr. Lowe), stated that the principle of local administration is radically involved in this measure, and it is absolutely necessary for its success that these funds should be of a local character. The present question, however, is, whether any portion of the funds should be raised by a cattle rate. A great authority on the subject is present in the House, and we shall be glad to hear his opinion. The Government, however, made the proposal in the Bill on what appeared to us to be good and sufficient grounds. We thought the charging a portion upon cattle was, as far as justice was concerned, a measure the most exactly just which could be adopted. On the other hand, we were met by the objection that the owners of cattle have no special representatives as distinguished from other agriculturists or from other owners of rateable property. But it undoubtedly appeared to us that there is a very special interest of local cattle owners involved in this question. It is very true that the object of this Bill is not compensation for losses; but, although that is not its object, the operation of the Bill, should it be successful, will be, to a very great extent, to give compensation for losses. With regard to the clauses having reference to the sums to be paid for cattle which are slaughtered, we have, rightly or wrongly, adjusted them in such a manner as we think will tend to draw within their operation the whole of the diseased cattle which shall hereafter become subject to the provisions of the Bill. That being so, the operation of the Bill will be to a certain extent to give compensation for losses. With regard to compensation I think, as the hon. Member for Westminster has said, that the cattle owners are not suffering. That expression, though it caused some surprise in the House, appeared to me to be little more than the enunciation of a truism. There can, however, be no doubt that individual owners are suffering extremely, but as a class they are not. All have an interest in stopping the progress of the disease. But who are they who have the greatest interest? They are the cattle dealers in the neighbourhood of the infected places. I must confess that that does appear to me, considering the rate as a local rate, to be a strong argument for placing a part of the charge on the cattle owners. My hon. Friend the Member for Stockport (Mr. J. B. Smith) proposes to impose a tax on all the cattle in the country. Would he tax the cattle of Ireland? [Mr. J. B. SMITH: No.] That is one exception. Would he tax the cattle of Wales? [Mr. J. B. SMITH: Yes.] The hon. Member says he would. The hon. Member says that the cattle owners of Wales, or, at least, of the greater part of Wales, ought to be brought in to share in the calamities of Cheshire. I confess I feel doubtful about the justice of that proposition. It so happens that the cattle owners of Wales are in a peculiar position. With two counties in Wales I am intimately acquainted — Flintshire and Denbighshire. Now, those two counties, with Cambridgeshire, Huntingdonshire, Cheshire, and Forfarshire, have suffered more severely, perhaps, comparing size and head of cattle, than any other counties in the country. There is a large extent of country entirely untouched, and it is a curious fact, as I am informed, that during the twelve years of the cattle plague in the eighteenth century, nine out of those ten counties were never touched. I congratulate the Welsh Members with all my heart that the only county that was touched was Montgomeryshire—a county bordering upon the infected English counties. The two counties that now suffer so severely suffered severely then — Montgomeryshire, which lies close by Shropshire, and Denbighshire. I am by no means clear about the equity of laying upon the cattle owners of a district a burden which it has not pleased Providence to lay upon them; but that is a matter which may be open to discussion. When these questions come to be considered, I am not sure that we can find community of interest with the other cattle owners among the cattle owners of those parts of Wales which appear to be defended from incursion of the disease by peculiarity of soil, if not of climate, or by the great limestone range. To me it is quite clear we must not consider a national cattle rate as an escape from all the difficulties of the case. The practical objections urged by the hon. Baronet (Sir William Jolliffe) would, of course, be greatly extended in their operation, if the plague be considered as national. Those more happily circumstanced would not be very well pleased at being brought in. This proposition may fairly stand on the principle of the special interest of those cattle owners who are in the immediate neighbourhood of infection. And in that view it is perfectly just, and quite conformable to the principles of the Bill. I do not presume to say that this is a matter upon which we are entitled to form any conclusive opinion; but the ground of special interest induced us to include this proposition. I believe, also, that we gain another important object, the prevention of what would be a great misfortune in this case, a battle between town and country. There is reason to fear that if this subject were not managed in this way a conflict might arise which would waste valuable time we are anxious to spare. We were further encouraged to include it by what happened on the first night of the Session, when, immediately after the excellent speeches of the Mover and the Seconder of the Address, a Gentleman (Mr. Banks Stanhope), who has often and justly been honoured with the confidence of his party, the representative of a most important agricultural district (North Lincolnshire), rose to introduce the whole subject of the cattle plague, and on behalf, as we thought, of many of those among whom he sat, distinctly proposed a rate of a twofold character to be levied on property and and on cattle. My hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton) makes a particular appeal to our compassion on the part of the farmers of that part of London. He thinks they have been specially exposed to contamination by the free trade in cattle carried on among them. Without entering into the vexed question, entirely unsolved, whether the plague was imported from abroad, I must say that rumour has been extremely unjust to the farmers of that part of London, if it be true that they gave no encouragement to a disease like this. They certainly have not a reputation for the cleanliness, the airiness, and the ventilation of their cattle sheds, which are supposed to contribute materially to the extension or the extinction of disease. However, this is not a matter which affects the question under consideration. I have stated generally the reasons which induced the Government to include the proposal in the Bill, and trust the House will accept it.

Mr. LOWE: As to the battle, Sir, between town and country I may say *Graiâ pandetur ab urbe,* which I will translate freely—"the case for the country is taken up by the hon. Member for the Tower Hamlets." My right hon. Friend has adopted the arguments of the hon. Member for Westminster (Mr. Stuart Mill) who is, I am afraid, a little too clever for us in the House. He reasons with a degree of closeness and refinement which some of us, at least, are not quite accustomed to. I must, however, though in fear and trembling, try to analyse a part of his speech to see what we can make of it. If I misrepresent him I hope he will correct me, because he is really difficult to comprehend, but as I understand him, he says:—As a class, owners of cattle are not sufferers by the rinderpest; individuals may suffer but the class will not, because the class will be idemnified by the higher prices that will be obtained owing to the losses and the consequent diminution of supply—I hope that is a slight mistake—and as the producers, taken as a class, sustain no loss, and the whole loss must fall upon consumers, therefore the consumers, who bear the whole loss, ought not to be called upon to pay any more *quâ* consumers, but the loss ought to be met by the producing class. Let us look at this argument for a moment. In the first place, it has in it that error which my right hon. Friend the Chancellor of the Exchequer was too acute not to feel, in spite of his general agreement with it. It is founded on the fallacious assumption that this is a mere question of indemnity. But it is no question of indemnifying people for losses. It is a question of paying men with a view to getting rid of the cattle plague. Where does the hon. Gentleman find, in any work of political economy, that in a case like the present, where great losses are incurred by a class which losses diminish the supply of a certain article, that necessarily the class will be indemnified by increased prices? Where is the unit on which he bases the calculation—where is the common measure? Is it true that the English cattle producer will gain on account of these raised prices? Has he not powerful competitors, and will not advanced prices increase an importation of 10,000 head of cattle to 20,000? That which is to be the indemnification of the English cattle dealer will have to be divided with all Europe, and some of the money will go to transatlantic producers. It seems to me that no supposition can be more unfounded than this, that the losses of individuals will thus, of necessity, be made up. At least, you cannot call upon a class, in consideration of profits they have not yet made, to indemnify individuals, while the rest of the community stand by with their hands folded and do nothing. Suppose I am wrong, and grant that the hon. Gentleman's position is sound and that the producer loses nothing and the whole loss falls on the consumer, is that a reason why the consumer should not make every exertion in his power to prevent that loss? The object is to avert future loss, and future loss, not on behalf of a class, but on behalf of a whole community. As the loss must fall on the whole community, is it reasonable that the community should stand by and say—we will not stir a finger to prevent it? Is it not a more reasonable inference that, as the loss is to fall on the consumers, they ought to come forward in a body to bear it? Therefore, if I grant this principle it seems to me that it proves exactly the contrary of what was deduced from it. As to the simple question before us, I cannot understand the argument that those districts which suffer shall pay, and that those that escape shall contribute nothing. The question before the House is this—shall there be one simple rate, or shall it be divided into two-thirds from one source and one-third from another. The Chancellor of the Exchequer wishes to put it on cattle, and I could understand the right hon. Gentleman if he took the proposition of the hon. Member for Stockport (Mr. J. B. Smith). But the proposition is that the districts already visited, or which hereafter may be visited, by the cattle plague, shall be taxed. The districts which may be visited by the cattle plague are to be trebly taxed—first, by the devastation of the scourge; secondly, by the county rate, which more fortunate districts will not pay; and thirdly, by the contribution of a percentage per head on those cattle which the plague has spared. It seems to me that these propositions ought to conciliate nobody, that this is the last quarter from which assistance should be sought in such an emergency, and that the best plan is to take the broadest view. In taxation you cannot go into refinements and minute subdivision of burdens, and similar considerations. We are seeking to avert a great national calamity, which must fall heavily on all. Let us all contribute to this special rate, as we pay our other rates. If you claim exemption, you might as well say that because a gentleman and his family are free from madness, he ought not to be taxed to pay for a lunatic asylum. Besides, this is a new tax in a Bill that is to be in force for only six weeks. You are going to impose a new tax for which you have no machinery—for which you have no statistics. You do not know the number of animals—it would be a fluctuating quantity day by day; you do not know whether the rinderpest will not be beforehand with you, and take away the very basis upon which the cattle tax would be levied. Well, then, on the other hand, we have our regularly assessed tax, and you are only asked to add to what you are in the habit of paying. It is only temporary, a matter of six weeks, and is it not better to do it by the machinery we have than resort to one of the most invidious and unfair things in the world? I entirely go with the argument of the hon. Member for the Tower Hamlets (Mr. Ayrton), that in this case we ought not to go into abstract considerations of justice. It is absolutely necessary that the money which we expend should be most carefully expended—more carefully than any other, because it may become a double prodigality. If people are careless and remiss, they will first of all slaughter cattle which ought not to be slaughtered, and then pay for them. Therefore, you require a check upon them, and what check so good as that those who order the slaughter should feel that they themselves will have to pay for it?

Mr. J. STUART MILL: As the arguments of my right hon. Friend (Mr. Lowe) derive great weight from his knowledge, his character, and his talents, it seems desirable that anything which can be said in reply should be said as soon as possible, and while the impression of his arguments is still fresh. I think what is necessary may be said in a very few sentences. My right hon. Friend thinks it a complete answer to the arguments which I submitted to the notice of the House, to say that the object of the tax is not compensation, but to give a motive to the farmer to declare the disease. Now, Sir, I really think that the motive held out to the farmer to make this disclosure does not depend on the quarter from whence the compensation comes, but on the compensation itself. I should like to know whether, if the farmer receives £20 or any other sum for his beast, it makes any difference in the motive held out to him whether it is paid from a cattle tax, or from the county rate, or out of the Consolidated Fund. In the next place, my right hon. Friend stated that the scarcity of a commodity does not always raise the price in full proportion to the deficiency in the quantity. Well, Sir, that is very true, but it is also an extremely common thing that the effect should be to raise the price a great deal beyond the proportion of the loss, and the case in which this is peculiarly known to happen is when the article in deficiency is one of food. Take, for instance, the commodity which the right hon. Gentleman the Member for Droitwich (Sir John Pakington) has brought forward into the prominence which belongs to it, the article of milk. In the case of milk, an article which is of first necessity to even the poorest people in the country, it is hardly conceivable that a scarcity should take place without raising the price immeasurably beyond the proportion of the loss. In the next place, my right hon. Friend thought it an extremely unreasonable thing in me to neglect and leave out of sight that portion of the supply of cattle which comes by importation. He said I did not mention it on a former occasion. Sir, I did mention it, and referred to it in a most special manner. And the answer which I made then I make now, in the words which my right hon. Friend himself quoted — *de minimis non curat lex,* the quantity imported being so small in proportion to the whole supply. There is one more point in my right hon. Friend's speech which I would wish to notice. He asked, "Is it not absurd that because a man or any of his family is not mad, he should object to being taxed for a lunatic asylum?" I ask, is there any economical law by which the patients of a lunatic asylum are compensated for the expense of their maintenance in that asylum? If there is, the cases are parallel; if not, not.

SIR WILLIAM HEATHCOTE said, he thought it his duty to state that, in his opinion, the Government proposition was, on the whole, the best. If there was time he would have guarded himself against acquiescing in the view taken by the hon. Member for Westminster (Mr. Stuart Mill) which he considered neither sound in principle nor fair. He agreed with the Chancellor of the Exchequer that this Bill must be more or less in the nature of a compromise, and though it was quite fair to press the argument of the right hon. Gentleman the Member for Calne (Mr. Lowe), that this was a national calamity which ought to be met out of the national funds, nevertheless he could not disguise from himself that this payment of compensation was something in the nature of a compulsory insurance, and it was right therefore, so far as that was the case, that it should be raised by a rate-in-aid. In stating his view of it, as an insurance, he wished to guard himself from being supposed to acquiesce in the proposal that the money so raised by rate should be applied to retrospective compensation. As to that he would suggest that it should be thrown on the Consolidated Fund. With respect to prospective compensation, the burden on the whole should be a national one, and the only objection was the difficulty of watching it. It was, therefore, right in order to meet this objection to throw the burden on the local taxation, and to let the machinery be managed by the local authorities. The mode, therefore, in which the Government had met the difficulty by a cattle rate was, in his opinion, the best.

THE CHANCELLOR OF THE EXCHEQUER said, that the retrospective clause was left out of the Bill.

MR. ACLAND said, he felt so strongly the force of what had been said by the Chancellor of the Exchequer with regard to the burdens which ought to be borne by the immediate neighbours of owners of cattle in the infected districts, that if it were not complicating the question he should be disposed to advocate a special charge upon the highway board districts or Poor Law union districts immediately adjoining the localities where infection prevailed. The great objection to the plan, he feared, was that it would prove impracticable.

SIR GEORGE GREY: Sir, the questions principally raised in the course of the debate have been—first, whether compensation should come from national or local funds, and next, assuming that the compensation is to come out of local funds, whether it should be provided wholly by a county rate, or partly by a county rate and partly by a cattle plague rate. I must do the agricultural interest the justice to say that, as a body, it has repudiated any claim on the national funds. The Royal Agricultural Society distinctly did so, and suggested that a Bill should be prepared giving authority to levy funds for the purposes of compensation by a county rate. The deputation from St. James' Hall were silent as to the funds out of which compensation ought to come, but individual members of the deputation expressed themselves in favour of funds locally collected and locally administered, and not one of them asked for any grant from the national funds. I am glad to find that the hon. Gentleman the Member for the University of Oxford (Sir William Heathcote), whose opinion on this subject is entitled to much weight, entertains the opinion that theoretically the proposal that part of the burden should be borne by a rate on cattle is a just one. No doubt, however, when we come to the machinery for carrying out such an arrangement a good deal of difficulty presents itself. With the limited time at our disposal it would be impossible to ascertain the feeling of the country generally upon the point. Under all the circumstances, and after what they found to be the feeling of the House, the Government are disposed to withdraw the proposal as to the cattle plague rate, leaving the whole expense to be provided out of the county rate.

On Question, That the words "as to two-third parts thereof" stand part of the clause,

Resolved in the *Negative :* — Words *struck out.*

Mr. CARNEGIE moved a further Amendment in Clause—namely, that for the words "two-thirds" the words "three-fourths" should be substituted, with the view of adding "and the remaining one-fourth shall be defrayed from money provided by Parliament for that purpose."

Sir GEORGE GREY said, he could not accept the Amendment, because if any portion of the money were to be provided by Parliament it must clearly come out of the Consolidated Fund, and upon that question the House had just expressed its opinion very clearly.

Lord JOHN MANNERS said, he agreed with the right hon. Baronet (Sir George Grey) that the question had been virtually decided. The fund, however, was erroneously called a compensation fund, since it was provided solely to enable the State to get possession of cattle which for the public benefit it believed ought to be destroyed. In point of principle, however, the right hon. Gentleman opposite (Mr. Lowe) and his right hon. Friend the Member for Droitwich (Sir John Pakington) were perfectly right. When a great public calamity was met in the way in which this was proposed to be met, and when cattle belonging to individuals were taken for the purposes of the State, according to strict principle the State and not particular classes ought to pay the money requisite for the acquisition of the cattle.

Sir JOHN TROLLOPE said, he would read a passage from a letter written by one of the deputation who had waited upon the Home Secretary. It was to the following effect :—

> "It was thought by many of us who lost our cattle, that aid would have been granted from the Consolidated Fund for all cattle destroyed in the public interest, or that loans would have been granted to sufferers. But the principle of compensation from local rates is something like compensating the left from the right hand pocket. We poor sufferers have first to find the money and then to distribute it among ourselves."

That letter expressed the opinion of one of the most intelligent agriculturists in the kingdom.

Mr. CARNEGIE said, he felt very strongly upon the point ; but, under the circumstances, he would not put hon. Members to the trouble of dividing.

Amendment, by leave, *withdrawn.*

On Amendment to omit the words "and as to remaining one-third part thereof out of the cattle rate hereinafter provided,"

Mr. BARING objected to the Amendment. To meet the views of the hon. Member for Nottinghamshire, he moved that at the end of the clause the following words be inserted:—

> "Every local authority shall have power, notwithstanding any limit in any Act of Parliament, to levy a local rate of the amount required for the purposes of this Act; but any rate or increase of rate levied under this section shall in all precepts for the levy thereof be described as a separate rate, or a separate item rate ; and when collected from the individual ratepayers it shall be collected as a separate rate, or specified as a separate item of rate."

Amendment *negatived.*

Amendment (*Mr. Baring*) *agreed to.*

Words *added* to the clause.

Mr. WALDEGRAVE-LESLIE said, that in nearly all the counties in which the cattle plague had broken out subscriptions had been raised for the relief of the persons who had lost their cattle. He considered that now, when a general rate was about to be struck, the sums previously subscribed by individuals ought to be taken into consideration. He therefore moved that the following words be added to the 31st clause :—

"In the case of counties which, previous to the passing of this Act, had entered into a voluntary assessment on account of the Cattle Plague, it shall be in the discretion of the local authority to consider such assessments as have been paid previous to the passing of the Act as part and portion of the cattle rate under this Act, and to make regulations accordingly."

MR. BARING said, he hoped the hon. Member would withdraw the Amendment, and allow him to propose a clause in which the particular question would be met. As the proposal stood it would compensate owners not only for cattle destroyed, but for cattle that had died. In reply to the question of an hon. Member as to the definition of local authorities for the purposes of the Act, municipal boroughs, having a separate quarter sessions, would be constituted a separate local authority, while all other boroughs would form part of the county in which they were situate.

MR. WALDEGRAVE-LESLIE said, that in order to alleviate the difficulty suggested by the right hon. Gentleman (Mr. Baring), he would strike out the word "accordingly," and add to his Amendment the words "consistent with the purposes of this Act."

SIR JOHN TROLLOPE said, that no Member of the Government had stated how the rate was to be collected. If it was to be collected as a separate rate by overseers of the poor, it would throw great additional labour on unpaid officials.

MR. BARING said, he thought he could suggest an addition to the 33rd clause which would meet the difficulty mooted.

MR. BARROW said, he was afraid these additions would complicate the Act. He would suggest that such a matter as that under consideration be left to the discretion of the local anthorities. He was himself a contributor in two different districts, and desired no reduction under the provisions of the Act. He thought it would be better that the rate should be a special county rate rather than a local rate. It would then fall in the ordinary course of collection.

SIR GEORGE GREY said, the rate would be collected in the ordinary way.

MR. WALDEGRAVE-LESLIE said, as the Committee appeared to be against it, he would withdraw his Amendment, but hoped the Government would recognize the voluntary assessments which had been made, and insert such provisions in the Bill as would infer commendation of the high spirit which had dictated these voluntary assessments.

SIR ROBERT ANSTRUTHER said, he thought some consideration should be had for the inhabitants of those counties where they had endeavoured to assess themselves. They ought to encourage the spirit of self-reliance among the farmers. If some such Amendment as was proposed were not passed, the Act would offer a premium to those who had done nothing to do the same under similar circumstances at some future time.

SIR ANDREW AGNEW said, he concurred with the last speaker's observations. The provision came quite within the spirit of the Act.

MAJOR WALKER said, that at the present time the process of destroying animals and paying compensation for them was being carried out most successfully by voluntary arrangement in several counties. If, however, a doubt were created in the minds of those so associated as to whether the money they had subscribed would be credited to them in respect of the compulsory assessment which it was proposed to make, an end would be immediately put to the most effectual machinery at present in work for the purpose of stamping out the disease. These funds were raised in anticipation of the passing of this Bill, and the gentlemen who advanced them ought to be repaid. It was obvious that, as some weeks would elapse before the Royal Assent could be given to the Bill, the event he had described as possible would be most disastrous in its results if it were permitted to occur.

MR. BARING said, he quite agreed with the hon. and gallant Member. If the hon. Member behind him (Mr. Waldegrave-Leslie would withdraw his Amendment, he would propose the one he had already referred to. He believed it would be found to meet the case more effectually.

MR. WALDEGRAVE-LESLIE said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause amended, as follows, and *agreed to.* [*cl.* 18.]

"All Expenses incurred by a Local Authority in pursuance of this Act, including any Compensation payable by it in respect of Animals slaughtered in pursuance of this Act, shall be defrayed out of the Local Rate as defined by this Act, or out of a separate Rate to be levied in all respects in the same Manner as the Local Rate, and included under the Term 'Local Rate.' Any Person who is not the Owner of the Premises in respect of which he is rated, under this Section, to the Local Rate may deduct from the growing Rent due to the Owner of such Premises One Half of the Rate payable by him for the Purposes of this Act, and every Owner shall allow such Deduction accordingly. 'Owner' for the Purposes of this Section shall mean the Person for the Time being entitled to receive the Rackrent of the Premises in respect of which the Rate is made on his own Account, or who would be entitled to receive the same if such Premises were let at a Rackrent, including under the Term 'Rackrent' any Rent which is not less than Two Thirds of the net annual Value of the Premises out of which the Rent issues. Every Local Authority shall have Power, notwithstanding any Limit in any Act of Parliament, to levy a Local Rate to the Amount required for the Purposes of this Act, but every Rate or Increase of Rate levied under this Section shall in all Precepts for the Levy thereof be described as a separate Rate or separate Item of Rate, and when collected from the individual Ratepayers it shall be collected as a separate Rate or specified as a separate Item of Rate."

Clause 32 (Regulations as to Cattle Rate) *struck out.*

Clause 33 (Power to remit Rate in certain cases).

SIR FRANCIS GOLDSMID moved to leave out the words "in respect of which he is not entitled to receive any compensation under this Act."

SIR GEORGE GREY assented.

Words *struck out.*

MR. BARING moved to add the words—

"When within the District of any Local Authority any Sum has been raised by a voluntary Rate for the Purpose of paying for cattle slaughtered with a view of preventing the spread of the Cattle Plague, the Local Authority may, with the Consent of the Managers of such Voluntary Rate, after satisfying itself that the Rate or such Portion of the Rate as has been expended has been duly expended for the purpose aforesaid, and having received from such Managers the Balance of such Rate, if any, apply it to the purposes of this Act, and in such case the sums proved to the Satisfaction of such Local Authority to have been paid by any Person to such voluntary Rate, and to have been duly accounted for, shall be deducted from any Rate payable by such Person under the Provisions of this Act."

SIR FRANCIS GOLDSMID said, that where there was no balance the Amendment would have no effect.

MR. HOWES said, there were associations to compensate farmers for cattle which died as well as those which were slaughtered, and he thought both ought to be included in the clause.

LORD JOHN MANNERS said, there would be an opportunity upon the Report to see whether the clause, as amended, carried out the wishes of the House.

COLONEL WILSON PATTEN said, he feared that if voluntary subscriptions as well as voluntary rates were not recognized it would occasion much disappointment. In his county there was an association in which 7,000 cattle were entered. The disease broke out, and in one herd of seventy-three head of cattle, fifty-three died in three days. The farmers thereupon bought the whole herd and had them slaughtered on the spot. That was a very spirited thing on the part of the farmers, and was done for the public benefit. It was carrying out the object of the Bill, and he regretted that, as the clause now stood, those farmers would not participate in the benefit of the measure.

MR. BARING said, that where the case was one of rate the clause would apply, but not where the farmers had raised the money among themselves. In cases where counties had imposed a voluntary rate for the purpose of slaughtering cattle the parties would come in for the benefit of the Bill, but not in the case mentioned by his hon. and gallant Friend, where the farmers had contributed for the purpose of making up a loss. The clause would meet a certain number of cases, but not all.

MR. FELLOWES said, he understood that the clause would only apply to cases of slaughter, and not to those where the animals had died.

MR. BARING said, that was so.

Amendment *agreed to.*

Words *added.*

Clause, as amended, *agreed to.* [*cl.* 19.]

Clause 34 (Mode of levying and recovering assessments in Scotland).

THE LORD ADVOCATE moved to insert the words "and collected" after the word "assessed" in line 30.

Amendment *agreed to.* [*cl.* 21.]

Clause, as amended, *agreed to.*

Clause 35 (Mortgage of Rates).

THE CHANCELLOR OF THE EXCHEQUER said, he rose for the purpose of fulfilling an engagement which he had made with his hon. Friends the Members for Cheshire. He was, however, compelled to fulfil the engagement in a somewhat different manner to that in which it appeared on the Votes. He had given notice of his intention of moving, on the consideration of Clause 37, the following addition:—

"But in any case where the local rate levied on the average of the said seven years for meeting the charges of this Act shall exceed sixpence in the pound, the Lords of the Treasury may, upon application from the Local Authority, extend the term to any term not exceeding fourteen years."

The notice was given somewhat hurriedly, and the addition could be better made in the present clause, and he should therefore move that that course be taken. In consequence, too, of the decision of the House upon the cattle rate, he should alter the "sixpence in the pound" to "ninepence in the pound," and he should further add the words—

"And the local authorities may mortgage or assign over the said rate for any term not exceeding fourteen years accordingly."

There were one or two other alterations, but they were merely of a verbal character.

LORD JOHN MANNERS said, he wished to know whether, by the proposed Amendments, the local authorities would be authorized to borrow the money for seven years, and then, if they desired it, to apply to the Lords of the Treasury for the further extension of time.

THE CHANCELLOR OF THE EXCHEQUER said, that as soon as the rate had exceeded the average of 6*d.* for the seven years the local authorities would be empowered to borrow money for that period, but when it exceeded 9*d.* they might borrow the money for the longer time.

Clause amended, and *agreed to.* [*cl.* 22.]

Clauses 36 to 39 *agreed to.*

Clause 40 (Reports by Local Authority to Privy Council).

MR. BARING proposed to substitute for the clause as it stood the following:—

"Every Local Authority shall report to the Privy Council the state of the Cattle Plague in their district, and give such other information with respect to the Cattle Plague, in such form and at such time as the Privy Council may require.

MR. HENLEY said, he could not object to the Amendment if the information which was required was to be exclusively confined to the action of the cattle plague, and was not to be the revival of an old battle. But the words were so general that, as far as he could understand them, it was difficult to see that they might not be employed for the purpose of obtaining agricultural statistics. Such a point ought not to be gained by a sidewind. If that were the object, it should be avowed, and then the pros and cons could be argued fairly. They wanted to know the simple facts as to how many cattle had died, and how many cattle had been killed owing to the disease. The matter was rather a curious one, because as soon as the disease appeared the Board of Trade, so to speak, "improved the occasion," and endeavoured to obtain the statistics.

MR. BARING said, the words of the clause were so limited as to apply only to the obtaining of information "with respect to the Cattle Plague." In that way the objection of the right hon. Member for Oxfordshire was obviated. He had no wish to obtain other information than that he had specified.

MR. LIDDELL said, he thought it very important that they should have these agricultural statistics. They would form the basis of a system of insurance for stock. They insured their ships, their houses, and other property, but not their live stock. The reason for that, he believed, was because they had not the means of ascertaining the risk to live stock, owing to the want of proper statistics. He trusted that in this matter they would profit by their experience of the present calamity, and be led to adopt the practice of insuring cattle.

MR. DENT said, it was a great misfortune to the agricultural community that they had now such few reliable data on the subject. If agricultural statistics had been at hand the House would have been better able to deal with the question of the plague.

Motion *agreed to.*

Clause, as amended, *agreed to.* [*cl.* 25.]

Clause 41 (Purchase of Land for Burial of Diseased Animals).

SIR JOHN TROLLOPE said, that the general practice had been to bury the cattle where they died, and it was hardly necessary to establish cemetries for them. The conveyance of the carcases along the high road to such places might be the means of spreading the infection.

MR. WHALLEY said, he thought it could not be necessary always to purchase the land where the carcases were to be interred. It would be sufficient if they hired it for a time, say on a lease for seven years.

MR. HUNT said, that those who visited, as he had done, the yards of the London dairymen would find that it was impossible to bury the animals where they died. What, then, was to be done with the carcases? Some people objected to their being carted through the streets. Unless some compulsory power was given for acquiring burying places, by purchase or otherwise, he did not see where the animals were to be buried. They could not be thrown into the river. In accordance with the suggestion just made, he moved to insert the words "or hire."

Mr. BARING said, he had no objection to insert the words "or hire" after "purchase." There were cases in which it was absolutely essential to acquire the use of land for this purpose.

The words "or hire" *inserted.*

Clause, as amended, *agreed to.* [*cl.* 26.]

Clause 42 amended, and *agreed to.*

Clause 43 (Cleaning trucks, &c.)

Mr. BARING said, that if the conveyance of cattle by railway was to be prohibited that clause might be expunged.

Mr. OWEN STANLEY said, he thought, having regard to the carriage of diseased meat, that the clause should be retained. He proposed an addition to the clause providing that a penalty should be imposed upon railway companies and others neglecting to cleanse conveyances used for the removal of carcases.

Mr. BARING said, that the Bill of the hon. Member for Northamptonshire (Mr. Hunt), which would shortly be considered, contained a provision that would effect what was required by the hon. Gentleman.

Sir JAMES FERGUSSON said, he thought the railway companies had endeavoured to meet the wishes of the House in every possible way. The various companies had expressed their readiness at once to discontinue their traffic in live stock, and at some considerable inconvenience to take such steps as would enable them to convey dead meat to all parts of the country. Although not personally connected with railway companies, he was authorized to state that they were prepared to take efficient means for disinfecting their cattle trucks to the satisfaction of persons to be appointed by Government for the purpose of inspecting them. This it was their intention to do as soon as possible if left to themselves; and, perhaps, it would be sufficient now to enact that no truck which had been used for the conveyance of live cattle should again be used until it had been thoroughly cleansed and disinfected to the satisfaction of inspectors to be appointed by Government. It would savour of oppression to enact that they should not be used till after a given time.

Mr. HUNT said, he thought that the trucks should be registered by number.

Sir JAMES FERGUSSON said, he had no objection to the registration of the trucks. It was necessary to prevent the trucks from being used until they had been thoroughly cleansed and disinfected, as in all probability they would be used for the conveyance of dead meat. He understood that the Great Western Railway Company were now using cattle trucks for that purpose, the meat being hung up on bars, so as to insure a free circulation of air.

Colonel DOUGLAS PENNANT said, he hoped that the railway companies would be compelled to cleanse the trucks immediately the cattle were removed from them. During the last winter he found it to be the practice on the London and North Western line to send empty cattle trucks in a filthy condition from all parts of England to Holyhead to bring away other cattle.

Mr. OWEN STANLEY said, he had received that morning from the inspectors at Holyhead a list of fifty trucks which had been sent to different parts of England in a filthy condition, the floors being covered with cattle manure. Any person conversant with the cattle plague must know that there was the greatest danger of the disease being conveyed by the servants of the company in going from such trucks to a farm. Therefore, although he believed all railway directors to be "honourable men," and to be desirous of doing their duty, he hoped that the inspection of trucks would be placed in other hands.

Mr. LIDDELL said, he thought Government should undertake to see that the trucks were kept in a proper condition, as the inspectors appointed by local authorities might be kept at bay by powerful railway companies.

Colonel SYKES said, it was most essential that some clause of the kind proposed should be inserted in the Bill, as it was well known that the disease had been conveyed into Inverness shire by means of the straw litter in a railway truck.

Mr. CRAUFURD said, that while forbidding absolutely the carriage of cattle by railway, the Committee had entirely omitted to deal with carriage by canal.

Clause *struck out.*

Clause 44 (Penalty for Disobedience of Act or Order).

Mr. FELLOWES said, he thought the

penalty should be raised from £5 to £10 in order to prevent farmers from moving their cattle in order to sell them at an advantage, and thus clearing more than the amount of the penalty.

MR. STONE moved the addition of the following words :—

"If any inspector, cattle overseer, or other officer appointed under the provisions of this Act, shall neglect any duties, or exceed, or wrongfully use any powers with which he is intrusted in pursuance of this Act, he shall for each offence incur a penalty not exceeding £20."

SIR ROBERT ANSTRUTHER said, he thought that some hold should be kept over inspectors, as many instances of improper conduct on their part had come to his knowledge. In one case an inspector had bought diseased cattle which he had himself condemned from a farmer, and had sent them up to the Metropolitan Market.

MR. WALDEGRAVE - LESLIE said, he hoped the Under Secretary would agree to this Amendment. Farmers would thus be protected from excess of zeal on the part of inspectors.

MR. CARNEGIE said, that the amount of the fine was left permissive ; and where a simple error of judgment had been committed probably no penalty whatever would be inflicted. But frequently there had been a gross neglect of duty. He had heard of a case in which a certificate for the removal of cattle had been given by an inspector for a glass of whiskey. He thought it well that the Bill should contain the power given by the Amendment.

MR. HUNT said, an inspector if he exceeded his duty would be liable to an action.

Amendment *withdrawn.*

Clause *agreed to.*

Clauses 45 to 47 *agreed to.*

Clause 48 (Recovery of Penalties).

MR. HUNT said, that the Bill made no provision as to the application of penalties. He thought it very desirable that, as to a portion, they should be paid over to the fund out of which compensation was to come. Under the general law they would be paid into the Treasury. The informer, he thought, should receive half the penalty, and the other half should go to the fund applicable to compensation.

MR. BARING said, the fines would go to the county rate under the Act of 1848.

MR. HUNT said, he was satisfied with that assurance.

MR. NEATE said, he wished to ask what became of the penalties under the Orders in Council.

MR. BARING said, he would answer that question to-morrow. He had to propose the addition of a Proviso to the clause—

"Any Railway Company or other body corporate may appear before any justice, sheriff, or sheriff substitute by any member of their board of management, or by any officer authorized in writing under the hand of any director or manager of the Company."

MR. SHERRIFF said, that there were now, in various parts of England, tramways which might convey cattle, unless expressly enjoined not to do so. He therefore proposed to add the word tramway after railway.

MR. AYRTON said, he doubted very much whether the difference between a railway and a tramway could be stated. He thought the introduction of the words would create a difficulty.

Amendment to the Amendment, by leave, *withdrawn.*

Amendment *agreed to.*

Motion *agreed to ;* Proviso *added.*

Clause, as amended, *agreed to.* [*cl.* 30.]

Clause 49 (Appeal).

MR. WHALLEY said, he wished to urge that the recognizances of the parties themselves before the justices should be sufficient, and that they should not be called upon also to provide two sureties. He moved that the words "two sufficient sureties" should be omitted.

Amendment *negatived.*

Clause *agreed to.* [*cl.* 31.]

Clause 50 (Confirmation of Orders).

LORD ROBERT MONTAGU said, he was in favour of the adoption of the principle of retrospective compensation. All he desired was that those persons whose animals had been slaughtered by an arbitrary law should not be deprived of their claim for compensation. They had postponed the clause for retrospective compensation, and until they had made sure that such a clause would be adopted they should not pass an indemnity clause. This was an indemnity clause, and he understood that the Lord Chancellor in another place had stated that the Privy Council had no legal right to issue orders for the slaughter of cattle. If that were so the law would grant compensation to the sufferers. Under these circumstances, he thought that the House ought not lightly to pass an indemnity clause like the present. He hoped that the Government would not object to the introduction of the following words, namely :—

> "That nothing herein contained shall prevent those persons whose cattle have been slaughtered by Orders of the Privy Council availing themselves of any remedy they might have under the existing law."

Mr. BARING said, that the powers given to the Lords of the Council under the Act 11 & 12 *Vict.* were couched in very vague terms, and it was therefore to prevent the litigation to which the local authorities, acting under the Orders of Council, might be subjected that the present clause was required. With respect to compensation for slaughtered cattle, the opinion of persons most competent to form a judgment on the subject was contained in the 18th clause of the Bill.

Mr. H. A. BRUCE said, he thought that if any of those persons whose cattle had been slaughtered had any doubt as to the right of the authorities to order the slaughter of cattle, they would have tried the question legally before this time. The introduction of the words would nullify the clause.

Lord ROBERT MONTAGU said, that all he desired was that whatever right those persons now might have by law should not be taken away from them.

Mr. BARING said, he had great objection to the insertion of the proposed words, as they would hold out an inducement for persons immediately to commence actions, notwithstanding the opinion of persons eminent in the legal profession that they had no such legal claim as that suggested.

Sir JAMES FERGUSSON said, he did not believe that the claims of persons, whose cattle had been slaughtered, would be vitiated by the non-insertion of the proposed words. He thought the claims of such persons should be admitted, and suggested the postponement of the clause.

Mr. HUNT said, he hoped that the words would not be inserted. He thought that the Government was justified in going to the very edge of the law, if not in extending the law under the emergency. He was anxious, therefore, to confirm the Orders, and he thought it most desirable to do so, for the sake of the magistrates who had acted under them.

Mr. GOODSON said, that on the bringing up of the Report some clause should be introduced to protect the local authorities from any malicious or vexatious proceedings.

Mr. NEATE said, that those who suffered under the operation of the Orders in Council had the same right to receive compensation as those to whom Parliament was about to give it prospectively.

Lord ROBERT MONTAGU said, he had no wish to put the Committee to the trouble of dividing on the Question and would withdraw his Amendment, if the Under Secretary for the Home Department would promise, on the part of the Government, that they would endeavour to pass such a compensation clause as they themselves had suggested. As he before said, he did not wish to prevent the confirmation of the Orders, but he wished to establish the principle of retrospective compensation.

Mr. HENLEY said, the Committee were in some difficulty in respect to this question. The clause which entitled the parties to compensation for the destruction of their cattle under the orders of the inspector, or other authority authorized by the Privy Council, and which had a retrospective effect, had been withdrawn, on the suggestion, he (Mr. Henley) believed, of the right hon. Gentleman the Member for Calne (Mr. Lowe), on the ground that the fund out of which they were to be paid was not the proper fund, as stated in the clause. So far as he understood no definite promise had, however, been given to introduce another clause on the subject. He thought it the duty of the House to see that those parties whose cattle had been slaughtered for the public good by order of the inspectors should not be in a worse position than those whose cattle were to be slaughtered in future under the authority of this Bill. As no Cabinet Minister was present, it was extremely difficult for the Under Secretary of State (Mr. Baring) to give the necessary pledge that the case of these persons, who so willingly sacrificed their own interests in this matter, should be considered. The absence of any Member of the Cabinet was a strong reason for postponing the clause.

Mr. BARING said, the reason why the Secretary for the Home Department was not present was that he was not well. He hoped the Committee would, under the circumstances, excuse any deficiency on his part, and agree to the postponement of the clause for a short time, when his right hon. Friend the Chancellor of the Exchequer would, in all probability, be in his place.

Lord JOHN MANNERS said, every

one must be sensible of the efficiency with which the hon. Gentleman (Mr. Baring) invariably discharged his duties in the House. He (Lord John Manners) thought that these unfortunate persons had a strong moral claim on the Government, and he hoped that when the clause was re-introduced their case would be adequately considered.

Clause *postponed.*

Clause 51 (Expenses incurred prior to passing of Act), *agreed to.*

Clause 3 (Definition of Terms).

Mr. BARING said, that as the clause then stood every municipal borough was an authority in itself; but he now proposed to amend it by the insertion of words which would make the clause only constitute as a separate authority any borough "which is not assessed to the county rate of any county by the justices of such county."

Amendment *agreed to.*

Mr. BARING said, he had another Amendment to propose, and in doing so he must apologize to the hon. Members for the City. The Bill had been changed in its character during its progress through Committee, and the Amendment which he was about to propose, as well as a corresponding Amendment in the schedule, had become necessary in consequence of the change which had been made in the Bill itself, which was now one simply for slaughtering and rating purposes. He assured his hon. Friends that nothing could be further from the intention of his right hon. Friend (Sir George Grey) than to do anything derogatory to the dignity and privileges of the City of London; but it had been represented to the Home Secretary by the Chairman of the Metropolitan Board of Works that nothing could be more unfair to the whole metropolis than that the City, which was so large and wealthy a portion of it, should be entirely excepted from the operation of the clauses relating to the metropolis. At the same time, the Chairman assured the Government that nothing should be done by the Metropolitan Board, in which body the City of London was represented, to interfere with that dignity and those privileges. Indeed, it was manifest that the provisions of the Bill could be carried out only with the co-operation of the City police. The Amendment of which he had given notice would be in the last paragraph of the clause, which paragraph was in these words—

> "The Metropolis shall include all Parishes and Places in which the Metropolitan Board of Works have Power to levy a Main Drainage Rate, with the exception of the City of London and the liberties thereof."

He proposed to omit all the words after the word "rate" with the object of including the City of London. A similar course had been taken in the case of the Fire Brigade Act and other cases, and by adopting the Amendment an inequality of rating within the metropolis would be avoided. He could only say he wished it had been in the power of the Secretary of State to give that notice of the Amendment which was due to the City of London and those who represented it; but it had been impossible to do so. It was to be remembered that in this Bill, without notice to the public, provisions had been introduced which might cause great inconvenience, and he had just proposed an Amendment in another portion of the clause which would affect every borough in the country.

Amendment proposed.

Mr. CRAWFORD said, that when his hon. Friend asked him to agree to the Amendment he asked too much of him; because, representing in the House the privileges of the City of London, he must feel that such a proposition ought not to have been brought forward without notice. Undoubtedly, the change which the omission of those words would introduce in the government of the metropolis was a most important one. Up to that moment the City of London had been charged with carrying out the Orders of Council in reference to the cattle plague. It had its own officers and its own machinery for that purpose. Why, then, should its functions in the matter be suddenly taken away? He saw in the Amendment the thin edge of the wedge, which two or three years ago the Secretary of State had attempted to drive home. He had had no communication with the City, and did not feel competent to argue this question in defence of their rights without notice. Therefore, all he could do was to enter his protest and that of the City against the Amendment.

Sir FITZROY KELLY said, he concurred in what had fallen from the hon. Gentleman the Member for the City of London. It was due to the corporation of London that some notice should have been given to them of the proposed change in the framing of this clause, so as to have enabled them at least to have known what would be its effect on the privileges of the City and usages, which had existed from time immemorial. From a long professional experience he could state that the effect of the clause, if amended as proposed, would be to indirectly repeal a number of Acts of Parliament applicable to the City of London, and that it would interfere with the functions of its officers to an extent of which no one in the House could form an adequate idea. He urged on the Government the expediency and justice of giving the corporation an opportunity, before the Bill was passed into a law, of considering what might be done in order that some qualification or exception might be introduced into this total annihilation in law of the privileges of the City of London.

MR. AYRTON said, he should have thought, after the handsome appeal of his hon. Friend the Under Secretary, that this Amendment would be adopted without observation. He must say he was surprised that his hon. and learned Friend opposite should get up, and, investing himself with all the mystic knowledge which he had acquired in the twenty-five years during which he had been standing counsel to the City of London, should say that such legal mysteries were involved in this measure that the House did not know what it was doing. He, too, had studied the constitution of the City of London a good deal, in reference to the legislation of that House, and had thus acquired some knowledge of the imaginary difficulties floating in the mind of his hon. and learned Friend. Yet he ventured to say that there was not the smallest risk or danger of injuring anybody by accepting the clause now proposed. The principle of interference was established long since, with reference to the drainage and necessary improvements in the City. At the present moment the Metropolitan Board of Works was actually demolishing houses in the vicinity of the Mansion House, and they rightly had authority in the City, because the City, like the other metropolitan districts, was represented at the Board of Works. There was no reason why the City should claim exemption as a separate jurisdiction more than Marylebone or any other metropolitan parish. There would be an extraordinary speciality if the City were to be exempted from the operation of the clause. The metropolis at large was going to be taxed in consequence of what had been done in the Metropolitan Cattle Market, and consequently, if anything had been done wrong, the fault lay with the City of London. If any conclusion was to be drawn from that, it would be that the City should alone be taxed. He deprecated the position which his hon. and learned Friend had taken in endeavouring to frighten the House out of its propriety by raking up imaginary notions as to the supposed privileges of the corporation.

MR. ALDERMAN LAWRENCE said, he rose to meet the arguments which had been brought forward to show that the City of London should be treated in a manner different to that observed with respect to the other local authorities specially described in the Bill. The object of the Bill was to provide means for the attempted suppression of that great scourge the cattle plague, and he apprehended that it was not in any way a measure to extend or to limit jurisdictions. He thought, therefore, that this was not the time to discuss whether the City of London ought to be included in the metropolis, or whether it ought to have its jurisdiction extended so as to include the whole metropolis. The question before the House was as to the best means of suppressing the cattle plague. The Bill reserved the rights of the Liberty of St. Alban's, the Liberty of the Isle of Ely, and the Stoke of Peterborough. Why, therefore, should not the rights of the City be reserved? The City of London had been carrying out the various Orders in Council most efficiently and satisfactorily. When this Bill was introduced, the various local authorities were described in it, and certainly the City could never have thought that almost at the last moment a Member of the Government would rise in his place and state that he thought it for the advantage of the metropolis that the Bill should be so altered as to deprive the City of London of the position which it had held for ages, and place it under the management of the Metropolitan Board of Works. What was still more marvellous was the proposal that the Board of Works should be assisted by means of the City police, who were paid by, and were under the control of, the City authorities. He thought that the City of London ought to be treated with fairness. It had at all times done its duty, but if the House should think its jurisdiction ought to be limited, that was a matter which ought to be introduced in a separate Bill, and not under the guise of a

Bill for the suppression of the cattle plague. The Under Secretary of State had said that he had made a great change in the Bill with respect to municipal boroughs, in order that they might not be taxed twice over; but he had proposed to make a change in regard to the City of London in order that he might obtain from it a larger amount. It was no argument whatever to say that because the City was called upon to pay a larger amount it should therefore be submerged and put under the management of the Metropolitan Board of Works. He was sure that the City of London would feel that they had been taken by surprise, for they had received no notice from the Government of such a change in the Bill. It was true that the City sent Members to the Board of Works, but the City had never been adequately represented there, according to its population and its rating. Indeed, it was never intended to place the City under the Board of Works like Marylebone and the other metropolitan boroughs. He thought that the City ought to have an opportunity of making known their opinion in this matter.

MR. LOCKE said, he considered his hon. Friend who spoke last had, although he was an Alderman of the City, spoken under a misapprehension as to the exact position of the City. His hon. Friend had alluded to two things — rating and the police. With regard to the rating of the City of London, that was done at present by the Metropolitan Board of Works for Metropolitan and City improvements. They levied the Main Drainage rate in the City, and in addition it was proposed to call on them to rate the City for the purposes of the cattle plague. No man delighted more in good eating or drinking than Aldermen, and they should be the last to find fault with any attempts to put down the cattle plague. [Mr. CRAWFORD: I am not an Alderman, nor do I delight in eating or drinking.] He did not know what the hon. Member did delight in, and he would not inquire. He was not an Alderman, but he (Mr. Crawford) represented the City, and if the City had submitted to be rated by the Metropolitan Board of Works for sewage and improvements he (Mr. Locke) was at a loss to know what objection the City could have on that occasion to the proposal before the Committee. Then with regard to the police. There could be no doubt that the City police were regulated by the corporation with the greatest propriety, and so were the Metropolitan police by Sir Richard Mayne. If the Metropolitan Board of Works were empowered to call in the assistance of the latter, what objection could there be to their having also the assistance of the City police. The only grievance the City had to complain of was that that courtesy had not been displayed towards it which, if they had had notice of the intention of the Government, would have enabled them to have got up an opposition to the proposal, and to have brought vividly before the Committee, with all the force they possessed, the merits of local self-government. That, no doubt, was a very good thing; but if one great piece of the metropolis was to be parcelled out to the inconvenience of the whole of the inhabitants, then the sooner that species of local self-government was put an end to the better. He contended there should be only one governing body for the metropolis. The City ought to spread its ægis over the metropolis, and its host of officers be occupied for the general benefit of the whole.

MR. HUNT said, he thought the metropolitan Members laboured under some misapprehension as to the extent of the contributions which their constituents might be called upon to make on account of beasts dying through the cattle plague. Travelling by railway having been prohibited, it was very unlikely that cattle would come into the metropolis and die there; and if hon. Members would vote with him upon a question subsequently to be discussed, that animals landed from foreign countries should be slaughtered at the port of entry, the risk would be still further diminished. The question of metropolitan government was interesting to many hon. Members, and no doubt much attention would be given to it during the Session. But on the present occasion, when time was of great importance, when they all had made great personal sacrifices in withholding criticizms, both upon clauses in the Bill and upon the objections made to them, in order that progress might be made as rapidly as possible in the attainment of a great public object, he did deprecate the introduction into the debate of such questions as metropolitan government.

MR. ALDERMAN LAWRENCE said, he wished to ask the hon. Gentleman having charge of the Bill to point out any clause in it securing the metropolis against double taxation, first at the hands of the various counties into which its population extended, and next at the hands of the Board of Works.

Mr. BARING: Not in the Bill. It is in the schedule.

Amendment *agreed to.*

Last paragraph of Clause *struck out.*

Words *struck out.*

Clause, as amended, *agreed to.*

Clause 6 (Power to assemble General Sessions).

Mr. BARING moved that the clause be struck out.

Mr. ACLAND said, he wished to ask what were the means which the Government proposed to adopt for the purpose of securing the holding of these sessions.

Mr. BARING said, that he proposed to bring up a clause providing that sessions should be held on the Monday after the passing of the Act unless they are adjourned to some earlier day, in order that no time should be lost in taking the measures necessary for giving effect to the Act.

Clause *struck out.*

Clause 7 (Power of the Local Authority to form Committee of its own Members and others).

Mr. ACLAND said, he hoped that a little facility would be given in order to enable courts of sessions to act with freedom and without being hampered by undue formalities.

Mr. ADDERLEY said, he would suggest the postponement of Clause 7. He feared that in the end the action of these several committees might tend towards the reproduction of evils similar to those which were now complained of. It would be much better, he thought, to trust to the action of a central body.

Sir JOHN SIMEON said, he approved the clause as it stood, and hoped the Under Secretary would not allow himself to be persuaded to abandon it.

Mr. HUNT said, he thought the objections of his right hon. Friend (Mr. Adderley) might be met by inserting a few words to secure uniformity of action among the committees. He proposed that the clause should be amended by the addition of the words—

"But in the exercise of such powers all such committees shall act according to such uniform rules as may be laid down by such local authority."

Mr. BARING said, he had no objection to the introduction of those words.

Mr. ADDERLEY said, he must still insist on the necessity of making it clear by Act of Parliament how the different local authorities were to act. It had been observed that the clause was merely permissive, but it was precisely to its permissive character that he objected. He was anxious to ensure as much as possible uniformity of action.

Mr. H. A. BRUCE said, the court of quarter sessions would meet and appoint its committees. In some counties it would be convenient to have but one committee, in others more. It would, therefore, be very objectionable to limit the clause in the way proposed. When more than one committee was appointed, it was to be supposed that they would act upon uniform rules. The acts of the committees would impose rates upon the counties, and one of the first things upon which they would agree was the rules for slaughter.

Sir FITZROY KELLY said, that in the county which he represented (Suffolk) they had an association divided into as many subdivisions as there were unions in the county, and notwithstanding all their efforts it had been found, over and over again, that sometimes upon very minute points, and often upon most important matters—such as dealing with animals attacked or in danger—there were conflicting regulations. He was perfectly satisfied, therefore, that if there were a number of committees in each county there would be conflicting rules, conflicting principles, conflicting decisions, and conflicting action.

Sir EDWARD COLEBROOKE said, he thought that the objections of the right hon. Gentleman (Mr. Adderley) were addressed rather to the Government Bill as it was originally framed than as it stood at present. In the two counties with which he was most acquainted (Surrey and Lanarkshire), the appointment of several committees would be absolutely necessary, if the Act were to be carried into operation. The central authorities must delegate their powers to committees, to say whether wholesale slaughtering should be carried out or not.

Mr. BONHAM-CARTER said, he hoped the Government would adhere to the clause. There would be the greatest inconvenience felt if it were made incumbent on every farmer to send to the central authority before he could kill his beast. It would defeat the object of the Bill. There should be special committees in every part of each county, in order that the members of them might be referred to without any delay or expense.

Mr. HUNT said, he believed they might rely on the good sense of the committees to confer with one another. But, in order to relieve his right hon. Friend (Mr. Adderley's) fears, they might add a proviso—that on the formation of two or more committees, such committees should act according to such uniform rules as shall be agreed on by those committees, or shall be laid down by such local authority.

Mr. NEWDEGATE said, that unless local committees were directly responsible to the central authority there would be no uniform system, and it would be impossible to enforce the provisions of the Bill.

Mr. BARING said, that the subordination of the local committees was provided for by the words of the clause. The committees would certainly act according to the rules laid down by the local authority, which was empowered to delegate powers to them.

Mr. ADDERLEY said, he wished the committees to be simply executive, and not legislative. If they had legislative powers there would be greater confusion under the Bill than there was under the Orders in Council.

Mr. BARING then altered his Amendment as follows:—

"In the case of the formation of two or more committees, such committees shall act according to the rules laid down for their guidance by such local authority."

Amendment *agreed to.*

Words *added.*

Clause, as amended, *agreed to.* [*cl.* 8.]

Clauses 8 and 9 *struck out.*

Clause 10 (Appointment of Inspectors and other Officers).

Mr. BARING moved to add words taken from the Bill of the hon. Member for Northamptonshire (Mr. Hunt) to the effect that persons appointed inspectors before the passing of the Act should remain in office unless their appointments were revoked. He also proposed to add a proviso which at first might appear rather stringent —it was that the certificate of an inspector should be conclusive evidence of a beast having been diseased. Such a provision would be unjust if compensation were not provided, but, with compensation, some such provision was necessary in order to prevent vexatious prosecutions.

Amendment *moved* to insert the words—

"Provided that all Persons appointed Inspectors before the passing of this Act under the Authority of any Order of the Lords of Her Majesty's Privy Council relative to the Cattle Plague, and being such at the passing of this Act, shall be Cattle Inspectors to act in the execution of this Act in and for the Districts for which they respectively were appointed; but any such Appointment may at any Time be revoked by the Authority that would be empowered to revoke it if it had been made under this Act.

"The Certificate of an Inspector of the Local Authority that an Animal is affected by Cattle Plague shall for the Purposes of this Act be conclusive Evidence in all Courts of Justice and elsewhere of its having been so affected."

Mr. HUNT: This puts a very great power into the hands of the inspector. He may go into any farmyard and order animals to be slaughtered, and the owner would only get in the shape of compensation half the value of the slaughtered animal. Then, what is the meaning of "cattle overseers," as distinguished from the "inspectors?"

Mr. HENLEY said, that in some counties the inspectors were not persons of any veterinary knowledge at all. Indeed, he was told that many were policemen. Was it desirable that their fiat as to slaughtering should be final? If it were, the office should always be filled by properly qualified veterinary surgeons. How otherwise could their scientific judgment be relied on?

Sir FRANCIS GOLDSMID said, that if an inspector's certificate were made conclusive evidence, he could not be proceeded against for fraud.

Mr. HUNT said, that under the Orders in Council they were required to appoint an inspector, who should be a veterinary surgeon, "or other duly qualified person." He believed by that was intended a person acquainted, in a sufficient degree, with the veterinary art, and he objected on that ground in his county to the appointment of policemen to be inspectors. He did not think that they were within the spirit of the words relating to qualification. He was aware, however, that in many counties they had appointed policemen, and in one county he had heard of a shoemaker being appointed inspector. What special knowledge that person might have he did not know. [Mr. Baring: He deals in hides.] Yes, but I think he had better have stuck to his last. If, however, the fiat of the inspector was to be conclusive, some words on that subject would require to be introduced.

Mr. FLOYER said, that in the county he represented (Dorsetshire), and also at Southampton, policemen had been appointed. He thought that no persons were better fitted for the post of cattle inspectors than the officers of police. The hon. Member for Northamptonshire (Mr. Hunt) appeared to think that veterinary surgeons were better qualified for inspectorships than the police. The inspectors throughout the country were at present the veterinary surgeons, and it would be seen by a letter that recently appeared in *The Times* that they complained of being overworked. Every one hoped that some remedy might be discovered for this terrible infliction; and, if it so pleased Providence, the veterinary surgeons might be better employed in attending to cattle, and applying that remedy than in attending to details most of which had nothing to do with the veterinary art. The police, on the other hand, were always present and able to see to the cleansing of sheds and places where cattle had been, and to their burial when dead, better than any veterinary surgeon could do. The only thing the latter was required for was to give his professional opinion as to whether cattle were diseased and should be slaughtered; and after he had so given his opinion, the remainder would be better in the hands of the police. He did not mean to suggest that an animal should be slaughtered on the authority of a police officer alone; what he proposed was that the chief constable or sergeant of police should consult the veterinary surgeon as to the condition of any animal which they suspected to be attacked by the disease, and should then report to the local committee, with whom the ultimate decision should rest.

THE LORD ADVOCATE said, he thought that the appointment of inspectors ought to be left entirely in the hands of the local committees. If the House laid down any rule enacting that no persons should be appointed inspectors unless they possessed certain qualifications, there might be districts in which no persons possessing those qualifications could be found. He did not think the clause now under discussion was sufficiently strong to prevent a man whose cattle had been slaughtered alleging that the cattle were sound. He might say, "My cattle never had the disease, and you had no right under the statute to slaughter them," and might bring an action for damages against the local authorities.

MR. BONHAM-CARTER said, that the local inspectors in his county (Hants) were police. They had no special veterinary knowledge, but were very efficient in all other respects. If a herd were declared to be infected, were they to send for the inspector, who might be twenty miles off, for every beast that was taken? That was impossible, and therefore a local cattle overseer would be required, who might be an intelligent tenant-farmer.

COLONEL NORTH said, he thought that the inspector ought to be a person who knew something about the disease. The hon. Member for Winchester (Mr. Bonham-Carter) proposed that the duties of inspector should be jointly discharged by a police officer and a respectable tenant-farmer. He did not see what advantage would be gained by carrying the hon. Gentleman's proposal into effect; for a man might be a very respectable tenant-farmer, and know nothing whatever about the cattle plague.

MR. BARING said, that there were several questions now before the House. The first was whether the words "cattle overseers" ought to be omitted. He agreed with the hon. Member (Mr. Hunt) that these words ought to be left out, for in the first place they had no definite meaning and might apply to a ploughboy or other ignorant person; and in the second they were used with a special meaning in the Bill of the hon. Member for Northamptonshire (Mr. Hunt), which would come before the House for discussion. He thought that it would be very imprudent to define in the Bill from what class of persons the inspectors were to be drawn, or what qualifications they should possess, the circumstances of the different counties being so varied. Their appointment ought to be left entirely in the hands of the local authorities. If that were done, he believed that the local authorities would appoint proper persons to act as inspectors. For his part he believed that in many districts chief constables and superintendents of police would render very efficient services.

MR. HUNT said, he strongly objected to the appointment of persons as inspectors without regard to their veterinary knowledge. It was not right that they should be intrusted with the power to order beasts to be killed, because they had not sufficient knowledge to justify the exercise of such power. But they had greater power. Their evidence in a court of law would be sufficient under the Orders in Council to cause a person to be punished for removing cattle declared by the inspector to be diseased. He could not see how as inspectors they were more than policemen. What were they to do as inspectors which they could not do as policemen, except that which they ought not to do?—namely, direct beasts to be killed. The clause provided that the certificate of the inspector should be conclusive in all courts of an animal having had the disease. It not only applied to the animal in question but to other animals in the same yard, or to any person who had been dealing with such animals. He should prefer the introduction of a few words protecting from actions at law inspectors acting *bonâ fide* and to the best of their judgment in the execution of their duty.

Mr. HENLEY said, that the power was great. Notwithstanding, it was proposed to intrust comparatively ignorant persons with it. The duties of the local authorities also were heavy, and he thought their inspectors should be men upon whom they could depend. He could not believe they would feel safe in trusting to the word of a shoemaker. Persons having not the slightest medical knowledge might be appointed inspectors. Common constables were to have this power, that the moment a fiat went out that cattle were diseased they must be killed. It was next provided that the local authorities should set to work and cause the field in which the beast had been to be disinfected. Now it was not a very easy process to disinfect a field. Since the proviso had been introduced without notice he thought the least the hon. Gentleman the Under Secretary could do would be not to press the matter, but introduce it to the notice of the House when the Report was brought up.

Mr. BARING said, he was aware that notice should have been given if possible of his intention to introduce the proviso. He also felt the force of many of the objections, but time pressed, and he trusted the House would decide upon the case at once. He felt the necessity of the provision he had suggested, because without it any of the local authorities acting on the Bill would be liable to actions for so doing.

Words "cattle overseers" *struck out.*

Proviso *agreed to*, and added to clause.

Clause, as amended, *agreed to.* [*cl.* 9.]

Clause 11 (Power of Entry for Inspectors and others).

Colonel NORTH said, he wished to have some definition of the words that persons committing "such offence should be liable to a penalty not exceeding £20." He had put the question to the Home Secretary, whether the £20 applied to each head of cattle or to each transaction. The answer was per head. He wished to know whether the meaning of the clause was for each head or for not allowing the inspector to enter different parts of the farm.

Mr. BARING said, the power contained in the clause was a modified power. It did not authorize the inspector to enter at any time, but only when he had reasonable ground for suspecting that cattle infected by the plague were to be found. With respect to the question of the hon. and gallant Member (Colonel North), the point in question had not been decided by the Court of Queen's Bench at the time referred to. It was settled by the Bill.

Mr. WALDEGRAVE-LESLIE said, he had seen so much during the last four months of the manner in which the cattle plague was carried about by the inspectors, that he thought some check ought to be put upon their power of entering cattle sheds at all times. The inspectors went into sheds among cattle which were infected, and then, without changing their clothes, they went among cattle which were perfectly healthy, and he thought that if that were to continue some parts of the country that had hitherto escaped the plague would become liable to it. A cattle owner was liable to a penalty if he did not send notice that his cattle were diseased, and this was a sufficient protection. He therefore moved, as an Amendment to the clause, that after the words "for the purpose of carrying into effect the provisions of this Act," in the seventh line, the following words should be added:—

> "And before entering, he shall be bound to produce an affidavit, sworn before a justice of the peace, to the affect that he has such reasonable grounds for supposing that cattle affected by the cattle plague are there to be found."

Mr. CARNEGIE said, he should support the Amendment. He believed it was dangerous to allow the inspectors to go about among all the herds in the country. A man who owned a valuable herd would rather give an inspector £5, £10, or even £20 than allow him to enter his premises and spread the infection. Cases had been known where inspectors had forced their way into uninfected cattle sheds to get the fee.

Mr. ST. AUBYN said, he should support the clause as it stood.

Sir FITZROY KELLY said, he agreed that some check ought to be put upon the power of inspectors. In many districts persons had been appointed who were utterly incompetent to discharge the duties of the office, simply for the want of competent inspectors. Instead of an affidavit, he would suggest that an inspector should obtain the authority of a magistrate to empower him to inspect cattle against the will of the owner. The inspectors would have no difficulty in obtaining that authority when it was necessary, and the authority would be some protection to the cattle owners.

Mr. ACLAND said, he thought the best course would be to require the inspector to act on the information of one or more neighbouring cattle owners or other credible persons. The inspectors would then be compelled to show their authority before going into any cattle shed. In his part of the country there was no human being so detested and dreaded as the cattle inspector.

Mr. AYRTON said, he was sorry to see that the zeal which had been shown at first in discussing the subject of the cattle plague had somewhat fallen off. He thought they ought to sustain the tone they had at first adopted, and support the hon. Gentleman the Under Secretary in these measures, notwithstanding their stringency. There could be no fair objection to the inspectors having power to visit the cattle sheds. It was only carrying out the same principle which was observed in the case of inspectors of factories, and inspectors of mines. Why did they not strip the inspector, wash him, and fumigate him at once, instead of only making him swear an affidavit? He ridiculed the idea that inspectors would carry the plague about with them, and thought they ought to be fettered with no obstructions in the performance of their duties.

Mr. KINNAIRD said, he was astonished to find the hon. Gentleman the Member for the Tower Hamlets disagreeing with the principle that a man's house was his castle. [Mr. Ayrton: Cattle shed.] He thought that the farmer ought not to have his premises invaded unnecessarily, and hoped that the hon. Member (Mr. Waldegrave-Leslie) would press his Amendment.

Mr. WHALLEY said, that the object would be obtained by requiring the inspector, if he should be requested to do so, to state in writing the grounds on which he entered the premises.

Mr. BARING said, he would accept the Amendment suggested by the hon. Member for Peterborough (Mr. Whalley).

Mr. WALDEGRAVE-LESLIE said, he believed that some of the inspectors were unable to write. He hoped that the Government would adopt his Amendment.

Mr. HENLEY said, that first of all every constable was empowered to take action under this Bill, and now they were to be required to record their reasons for acting in writing. That was getting on, he thought. They had to provide as far as possible against the spread of the disease, and they must remember that on the first appearance of the plague in a district there were always a good many gaping people—constables sometimes, as well as others—who went to the farms where the disease existed to have what they called a "look," thereby spreading the disease. It was always dangerous to encourage people to visit those spots at their own will and pleasure, and they should remember that the grounds upon which policemen acted were not always the soundest. By fining a man £20 if he did not announce the appearance of the disease, and by offering him compensation if he did, they were holding out the two strongest inducements by which people were influenced—hope and fear. He thought that the clause was, on the whole, likely to be more productive of mischief than of good.

Mr. GOODSON said, he thought that all objections would be met by providing that the officers should act by direction of the local authorities.

Mr. WHALLEY said, he thought that if the inspectors recorded in writing their reasons for acting, it would soon be seen whether they exceeded their powers or not. If, however, inspectors were only to act in individual cases upon the authority of the local authorities, they would frequently have to lose much valuable and important time in gaining access to the authorities.

Lord ROBERT MONTAGU said, that by a clause in the Bill, the disinfection of inspectors was already provided for. As it was the interest of local authorities to prevent the spreading of infection, they would take precautions against the inspectors going about to spread the infection.

Mr. HENLEY said, he would suggest the omission of the words "any constable or police officer."

Mr. BARING said, he would agree to the suggestion.

Mr. HUNT said, that in many instances police officers were appointed inspectors, and as they were always bound to appear in uniform, their disinfection would not be an easy matter. So notorious had this fact become, that in some counties, instead of being called "inspectors," the people styled them "infectors." He thought it might be better to strike out the whole clause.

THE CHANCELLOR OF THE EXCHEQUER said, he approved the omission of the words "any constable or police officer." The objection of the right hon. Gentleman (Mr. Henley) was a sound one. It was advisable that the inspection should be limited to officers properly qualified. It was, however, necessary to retain the clause, because as the local authorities were empowered to slay suspected animals, they must have means of arriving at a judgment upon the matter. He thought the Amendment proposed by the hon. Member (Mr. Whalley) would act as a check on inspectors.

Words proposed to be left out by Mr. BARING, *struck out.*

MR. WHALLEY then moved the addition of the following words at the end of the clause:—

"Provided always that such inspector shall, if required, state in writing the grounds upon which he has entered such premises for the purpose aforesaid."

MR. M'LAGAN moved an Amendment that inspectors should be required to visit the places in which diseased animals were buried, and see that the requirement was carried out.

MR. BARING said, that would lead to the spread of infection.

Amendment *negatived.*

Clause, as amended, *agreed to.* [*cl.* 10.]

Clauses 19 and 20 *struck out.*

Clause 50 (Confirmation of Orders).

LORD ROBERT MONTAGU said, that the clause was intended to indemnify all persons who had acted under the Orders of the Privy Council, and, indeed, to indemnify the Privy Council themselves for the Orders they had issued; and the fact that it was proposed at all was a proof that the Government had a doubt as to the legality of their proceedings. The Lord Chancellor was reported to have said the other day that although the Government had acted under his advice in promulgating these Orders of the Privy Council, yet it might be doubtful whether they came under the terms of the Act, or, in other words, whether they were legal; and if they were not legal all persons whose animals had been killed under those Orders had an undoubted right to bring an action at law and claim damages. The farmers throughout the country had, however, behaved most submissively. For the good of the nation they had never resisted the Orders in Council or questioned their legality; and not only had they had their diseased animals slaughtered, but many sound cattle had also been slaughtered through the ignorance of the inspectors. Now, the effect of the clause would be to take away the farmers' legal right in such cases. He did not desire to prevent the passing of the clause; but he thought the Government should state that they were willing to bring up the 18th clause, which they had themselves originally introduced, and grant retrospective compensation.

MR. HUNT said, he did not see the necessity of raising that question then, because when the 18th clause was left out it was understood that they were to deal with it subsequently. The right hon. Gentleman the Member for Calne (Mr. Lowe) had suggested to the Secretary of State that the clause should be withdrawn, on the ground that it ought to be considered separately, and that it was doubtful whether the retrospective compensation ought to come out of the same fund as that which was to be provided by the Bill; and it had been withdrawn in accordance with that suggestion. It was understood when Clause 18 was struck out that something of a similar kind was to be proposed subsequently, not in this Bill, but in another shape. He hoped, therefore, no doubt existed that the Government were pledged to the retrospective principle.

THE CHANCELLOR OF THE EXCHEQUER said, he was very sorry that his right hon. Friend the Home Secretary had been obliged, through over exertion and the pressure of public business, to quit the House, and also that he had had no opportunity of consulting with his right hon. Friend as to his exact meaning in respect to that dropped clause relating to retrospective compensation. But having himself been present when it was dropped, he could say that it was dropped, not because the case of these parties ought not to be considered, but because relating to a back claim, whatever it was, it was in no way urgent, and need not interfere with the other parts of the Bill that required to be pushed forward. His right hon. Friend, he was sure, was now quite as much disposed to consider the case of these persons as when he introduced the clause.

Mr. HENLEY said, the explanation of the Chancellor of the Exchequer was quite satisfactory if the right hon. Gentleman meant to say that those persons who had willingly obeyed what they thought to be the law should not be put in a worse position than those whose cattle might be slaughtered hereafter.

The CHANCELLOR of the EXCHEQUER said, he did not say, nor would he then pretend to form an opinion on the subject, that the parties who preferred retrospective claims should be dealt with precisely like those who had to be dealt with prospectively. He thought the former case was different in some respects from the latter, but he had no doubt his right hon Friend would be as ready as he was at first to consider it upon its merits.

Mr. HENLEY: *Nullum simile est idem.* I take it to be admitted that they have a fair claim to compensation, and that the Government will, at all events, bring up some clause upon the subject.

Clause *agreed to.* [*cl.* 32.]

On Motion of Mr. Baring, Clause 6 A (Power to assemble adjourned Sessions), and Clause 7 B (Meeting of Local Authority in Scotland), added to the Bill.

Mr. BARING moved to add a new clause (Clause 20 C)—

> "Where any animal has been slaughtered under the provisions of this Act, the owner of such animal shall not be entitled to receive, in respect of the insurance of such animal, any sum which, together with the payment he receives for such animal under the provisions of this Act, shall exceed the sum which he would otherwise have been entitled to receive in respect of such insurance."

The relief such a clause would give to the insurance associations would enable them to continue in existence. The object of the provision was to ensure the proper working of the insurance companies, and of the means of providing proper compensation.

Mr. HUNT said, he thought that if the clause passed the persons assuring should have returned to them a proportionate part of the premiums paid to the insurance associations, since they would only receive a small sum from the associations.

Sir FITZROY KELLY said, the effect of the clause would be to do justice between the parties. It would be unfair to compel the insurance companies to pay the whole sum assured for animals slaughtered under the Act, but they could scarcely complain of having to pay £100 out of £400, the remaining £300 being paid to the assurer by way of compensation out of the county rate.

Sir JAMES FERGUSSON said, he thought the clause would operate unjustly to the assurer, inasmuch as he would have paid the premium to the association, as well as having to contribute towards the county rate, while his more unthrifty neighbour would get the same amount of compensation having only contributed to the county rate.

Mr. NEATE said, he thought the matter required further consideration.

Lord HENRY THYNNE moved that the clause be postponed. He said that it benefited the insurance offices at the expense of the county rate.

Mr. BARING said, he hoped the Committee would pass the clause, as it would benefit the insurance associations without throwing any additional burden upon the county rate. Unless the clause were carried the Act would impose great hardship upon the insurance associations, since the sound cattle slaughtered under the provisions of the Act might not have died from the effects of the disease, and therefore the Act, without the clause, would simply deprive the associations of so much money. The effect of the clause had been quite correctly stated by the hon. and learned Gentleman (Sir FitzRoy Kelly). If it were not inserted in the Bill the owner of an animal ordered to be slaughtered would be entitled to receive three-fourths of the value of the animal, and the same amount from the insurance company, so that he would receive the full value of the animal and one-half more. The county rate would, under the clause proposed, be bound to pay compensation, and then the insurance company would pay any difference there might be between the amount of the compensation and the sum for which the animal was insured.

Mr. AYRTON said, the clause merely enabled the owner to deduct from the compensation what he received from the insurance office. The principle of the insurance company was only to pay the salvage.

Clause *agreed to.*

Mr. BARING proposed a clause that the Act should continue in force until the first day of June, 1867, and until the end of the then Session of Parliament, and no longer.

MR. HUNT reminded the Government that power was to be taken to discontinue the Bill supposing a remedy were found for the cattle plague. He did not understand that any clause to that effect had been introduced.

MR. BARING said, a clause would be brought up to that effect on the Report.

Clause *agreed to.* [*cl.* 34.]

Schedule 1.

Amendment proposed, to insert the words "counties including any town or place which does not return or contribute to return a Member to Parliament."—(*The Lord Advocate.*)

SIR JAMES FERGUSSON moved to insert words limiting the operation of the schedule in the case of Scotch towns to such as have a population of not less than 20,000.

Amendment proposed to the said proposed Amendment, by adding, at the end thereof, the words "and which has not a population of twenty thousand inhabitants."—(*Sir James Fergusson.*)

Question put, "That those words be there added."

The Committee *divided* :—Ayes 24; Noes 26 : Majority 2.

On Question that the Schedule, as amended, stand part of the Bill,

MR. CRAUFURD said, he wished to ask the Lord Advocate whether he intended to introduce into the Bill those clauses which he suggested giving permissive powers to the magistrates in boroughs to unite with counties, or to place themselves under the counties in cases where they should think it desirable for the purposes of the Act.

THE LORD ADVOCATE said, it would be very desirable that such a power should be introduced into the Bill; but considering the stage at which the Bill had now arrived that could only be done in another place.

Schedule, as amended, *agreed to.*

Schedule 2 *agreed to.*

Preamble *agreed to.*

On Question that the Chairman report the Bill, as amended, to the House,

THE CHANCELLOR OF THE EXCHEQUER said, that the Bill would come on as an Order of the Day to-morrow after the notice with respect to the suspension of the Habeas Corpus Act in Ireland.

SIR FITZROY KELLY said, he wished to inquire whether it was the intention of the Government to pass the Bill to-morrow?

THE CHANCELLOR OF THE EXCHEQUER said, he hoped so. It was intended to move the third reading after the Report had been received.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

CATTLE PLAGUE BILL—[BILL 7.]

Bill *considered* in Committee.

House *resumed.*

Bill *reported;* to be *printed,* as amended [Bill 20]; *re-committed* for *To-morrow.*

House adjourned at One o'clock.

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HOUSE OF LORDS,

Saturday, February 17, 1866.

MINUTES.]—*Took the Oath*—The Earl of Dudley.
PUBLIC BILLS—*First Reading*—Habeas Corpus Suspension (Ireland) (12), read 2ª, Comm. *negatived,* read 3ª and *passed,* and Royal Assent; Art* (15); Telegraph Act Amendment* (13); Cattle Diseases* (14).

HABEAS CORPUS SUSPENSION (IRELAND) BILL.

PASSED THROUGH ALL STAGES.

Bill brought from the Commons; read 1ª; and to be *printed* (No. 12).

Order of the Day for Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with, read.

EARL RUSSELL: My Lords, in moving that this Bill be now read a second time, I have to inform your Lordships that it is with great regret Her Majesty's Government have felt themselves compelled to propose the present measure for the suspension for a limited time of the Constitution in one portion of Her Majesty's dominions; and it is now my purpose to state shortly to your Lordships the reasons which have induced Her Majesty's Government to consider that an extensive and formidable conspiracy exists in Ireland, against which all the regular powers of the law have been put in force by the Lord Lieutenant administering the Government in that part of the United Kingdom.

Nevertheless, as by the exertion of those powers the conspiracy has not been suppressed, we now ask your Lordships to apply the apparent remedy in such a dangerous case — the suspension of the Habeas Corpus Act. With respect to the nature of this conspiracy, it is hardly necessary that I should detain your Lordships by any lengthened explanation. I am not going to refer to any documents, or to bring forward any secret information, because, generally speaking, the proceedings of this conspiracy have been so notorious, and those engaged in the conspiracy have been so much more ready to boast of their strength and objects than to conceal their intentions, that it is not necessary that I should enter into details upon those points. It may, I think, be true that had it not been for the civil war in America, Ireland would have remained in peace and tranquillity at the present time, and the adoption of no extreme measures would have been necessary. But towards the end of the American war the Irish residents in America formed themselves into a vast conspiracy. They collected a large amount of subscriptions, and at one meeting alone it was stated that 1,000,000 dollars were subscribed. Sometimes an invasion of Ireland and at other times an invasion of Canada were threatened. The purpose of this conspiracy was in the first place to overthrow the Queen's authority in Ireland; in the next place to take possession of the estates of the landed proprietors; and in the third place it was an attack against religion, whether the religion of the Protestants belonging to the Established Church and of other Protestants, or the religion of the Roman Catholics. It has been conspicuous from the beginning that these attempts were directed, as stated in the Queen's Speech, against all lawful authority, against property, and religion. After a time the denunciations against England made at the meetings in America were collected and circulated by emissaries sent over from that country to Ireland, where they began their course of operations. Their purpose was to enlist as many persons as possible, whether civilians or military, with a view to insurrection. There can be no doubt as to these facts, because for this offence of conspiring to levy war against the Queen, as defined in a late and most useful Act of Parliament called the Treason Felony Act, the Law Officers of the Crown having advised a prosecution, and many persons having been brought to trial under that Act, the most conclusive evidence was produced against them, showing that they were persons engaged in treasonable practices against the Queen, and that their intention was by means of bloodshed and terror to produce a revolution in Ireland, with all the frightful consequences which must ensue from the attempt at such an outbreak. During the late Special Commission in Ireland, the learned Judges expounded the law in the most lucid and convincing manner, and the juries discharged their functions with a fearlessness and impartiality which showed that a great change had taken place since 1844 and 1848, and a great number of the accused persons were convicted. It was the expectation of the Lord Lieutenant of Ireland that the proceedings adopted by the Government would prove sufficient to check the spirit of insurrection; they proved however to be ineffectual, and the conspiracy has accordingly made great advances. The Lord Lieutenant of Ireland, in consultation with his Law Advisers, deliberated a little before the meeting of Parliament on the matter, and they came to the opinion that it might be their duty to ask for a suspension of the Habeas Corpus Act, though the necessity for such a step was not at that particular time undoubtedly obvious; and they wished, therefore, to wait as long as possible, in order to try to put down the insurrection by the ordinary powers of the law. In this respect I think your Lordships will see reason to commend the conduct of the Lord Lieutenant, who, while desirous to put down the insurrection, and restore the country to peace and tranquillity, was at the same time anxious to perform that service to the Queen and country by the ordinary means of the law, and without any suspension of the Constitution in Ireland. After some time, however, it was found on inquiry that the spirit of Fenianism, as it is called, so far from being subdued, had spread more and more; that fresh emissaries were arriving from America, and that a great fabrication of bullets and implements of war was being carried on. It was then evident that, instead of considering their enterprize altogether a failure, the "Head Centre," as he is called, and the other persons who were the heads and leaders in this Fenian conspiracy, persuaded themselves that they might speedily take measures to begin a successful insurrection. There was not, I think, any danger that such an insurrection, if they were rash enough to attempt it, would really have had any success; but there was a very great chance that much bloodshed and destruction of property might have occurred, and that the country might have been placed in such a state of insecurity that all persons of property would have fled from it, and that there would have been a suspension of all those operations by which the industrious classes live. Attempts were made—almost universally unsuccessful, I am happy to say — to tamper with Her Majesty's soldiers, and to induce them to abandon their duty of obedience to the Crown, to receive what was called the Fenian pay, and to become parties in this great conspiracy. A few men, I am sorry to say, were seduced from their allegiance—they are, however, but few, and they will, no doubt, be made amenable to the law by which such an offence is punishable. I may add that by a long letter from the Lord Lieutenant of Ireland, in which he details all the measures he has adopted to put down this conspiracy, it appears that his conviction is that the Fenian spirit still continues unsubdued; that there are a number of strangers in Ireland, about 500, engaged in treasonable practices and acting in different bodies, and that it would be impossible for him to answer for the peace of Ireland or the safety of Dublin, unless the Irish Government are armed with greater powers. Of course, such a statement coming from the Lord Lieutenant, who has shown himself anxious to keep as long as possible within the limits of the ordinary law, was calculated to produce a great impression on Her Majesty's Government. At the same time, the Chief Secretary for Ireland states in a letter that week after week the danger was obviously increasing; that these bands of Fenians are increasing in number; that private meetings are held; and that there are many places in which there are numerous depôts for the store of pikes and other weapons. At these meetings the Fenians hold out hopes, both to civilians and Her Majesty's soldiers, that there will very shortly be an insurrection, and that for three days all that licence which is allowed to soldiers who take part in the capture of a town or fortress will be allowed to the persons joining in the Fenian movement, and that even the women would be given up to their brutal passions. Such statements having been made, according to the information received by Her Majesty's Government, we could not but think that, if we allowed these proceedings to go on, and if we allowed the lives and property of Her Majesty's loyal subjects to be for a moment placed in a state of insecurity, that we should be deeply responsible, however successful in ultimately putting down the insurrection, and that we should deserve the highest censure, if we did not make use of all the means which Parliament might grant for the purpose of suppressing this mischief. The last point on which I have to address your Lordships is as to the applicability of the remedy which the House of Commons has sanctioned, and which it is now my duty to propose that your Lordships should agree to. A great number of these persons who have come from America to Ireland are by origin Irish, but have become citizens of the United States; many of them took part in the late civil war in America, and being disappointed in their expectations that when they became victorious in battle the property of the conquered would be given up to them for general plunder, they have thought they might execute in Ireland those projects of spoliation which they were not allowed to carry out in America. Consequently, the suspension of the Habeas Corpus Act will enable the Lord Lieutenant of Ireland to lay his hands on these men, who are engaged in the same treasonable correspondence as those who have been convicted by law, but who have hitherto evaded apprehension. These persons have latterly been made additionally cautious and cunning by the arrest and conviction of some of the conspirators, but they are yet pursuing their projects with as much or more activity than ever. The Lord Lieutenant of Ireland, if this Act is passed, will be enabled during the limited period for which it will be in force to retain the persons in prison; and it is to be hoped that by these leaders of insurrection being kept in custody the population will no longer be worked upon, but will be disposed to resume their usual avocations and demeanour. In fact, it has only been by the grossest delusions, and by holding out to these unfortunate people that some great benefit would accrue to them from these treasonable projects, that any impression has been produced. It may be necessary to have this Act in force for a considerable time; but it will, I trust, have the effect of not only preventing the teaching of treasonable lessons to their victims by these mischievous men, but also of deterring many persons who are meditating a journey to Ireland for similar purposes from coming to that country. My Lords, it has been made a kind of reproach that Her Majesty's Government in proposing this Bill propose a scheme of simple coercion, unaccompanied by remedial measures. My Lords, I think that the maintenance of law and order and the restoration of peace in the country—that the assurance that every man shall enjoy the fruits of his industry in security, without the danger of having his property seized and confiscated by rebels—is of itself a remedial measure, and one that is not to be accounted less valuable than any other means of promoting the prosperity of Ireland. With regard to other measures of a remedial character, I do not think that this is the time for entering upon them. There will, no doubt, be many occasions when the state of Ireland may come under the consideration of Parliament, and it may then be a fair question whether or not Her Majesty's Government are adopting all proper means in their power for the improvement of the condition of that country. But the immediate question now before your Lordships is one of the utmost importance, and also one of the utmost urgency; and it appears to me that the first thing we have to do is to secure peace and order in Ireland, and maintain the authority of the Queen. I therefore beg, my Lords, to move in the first place the suspension of the Standing Orders, to enable the measure which I have described to pass without delay.

Moved, "That Standing Orders Nos. 37 and 38 be dispensed with."—(*Earl Russell.*)

THE EARL OF DERBY: My Lords, I quite concur in one part of the statement just made by the noble Earl—namely, that this is not the opportunity for considering any other question than the one which is immediately before us. It would be extremely inconvenient to enter at this moment into any discussion whatever upon the state of Ireland, upon the causes which may have led to that state, or upon what possible remedial measures it might be desirable to suggest for the benefit of that country. We have now to deal with a great present necessity. We know from common report—we know from our private correspondence—we know from every means of information which we possess—that Ireland is at the present moment in a most perilous position: we have it from the statements of Her Majesty's Government, who are now holding very different language from that which they used on this subject until very recently, that they are now compelled to apply to Parliament for powers which they thought unnecessary a week or two ago; because, certainly, at the time when this Parliament first met their tone and language were that the ordinary course of law had been appealed to and had been found effectual for the putting down of these dangerous conspiracies. Since then I presume Her Majesty's Government have obtained information from the Lord Lieutenant of Ireland that, notwithstanding the manner in which the Judges, juries, and Crown prosecutors of that country have done their duty in the late trials, the ordinary course of law has not proved sufficient to deter these persons from engaging in or continuing their treasonable proceedings, or to put an end to their malpractices. I do not think, my Lords, that we should call upon Her Majesty's Government now specifically to vindicate the step which they are taking upon their own responsibility. They tell us that the danger is so great and so imminent that it is absolutely necessary not only to suspend the ordinary course of law by the suspension of the Habeas Corpus Act, but that in dealing with this subject there is not even time for passing their Bill in the ordinary manner—that it is imperative upon us now, as it was in 1848—when the noble Earl also had the fortune to be at the head of the Government—to put this Bill through all its stages at once, on the very same day as that on which it has been introduced and also passed through all its stages in the House of Commons. Therefore, my Lords, while giving my cordial assent to the measure proposed by Her Majesty's Government upon their own responsibility as being absolutely indispensable for the maintenance of peace in Ireland, I abstain altogether from entering into the causes which have produced, or which have encouraged, the present disaffected state of that country. But there was one statement made by the noble Earl as to which I would now make a single remark. The noble Earl said that if it had not been for the civil war in America there would have been no such disturbance of the tranquillity of Ireland as this. I do not mean for an instant to deny that the civil war in America, that the military and warlike habits which people have there contracted, that the tendency to indulge in acts of violence and plunder developed during the progress of that sanguinary struggle, or that the consequences of the excitement which that contest has produced in America, may not have given great encouragement to the outbreak of this mischievous spirit in Ireland; but I venture to say, speaking from my own knowledge, that as long ago as 1859 we ascertained that the most dangerous portion of the then called Phœnix conspiracy which prevailed in Ireland was the branch of it which then existed and flourished in America; and from that time down to the present hour there has been no moment at which that conspiracy has not been there organized, and at which it has not been in correspondence with the parties who were desirous of promoting an outbreak in Ireland. I am not now asserting that that spirit has not been properly met in Ireland. I only demur to the statement that this is a spirit of which the origin is entirely new, or that it only dates from the civil war in America, and would not have existed but for that war. My Lords, I do not mean to say a single word more. I think it would be very inconvenient at present to enter into any lengthened discussion. Her Majesty's Government state on their own responsibility that this measure is essential to the maintenance of the peace and to the protection of life and property in Ireland. These they declare to be its primary objects; and if they solemnly announce to both Houses of Parliament that these objects cannot be attained without the suspension of the liberty of the subject, then *Salus populi suprema lex;* we are bound to accept the necessity that is imposed upon us, and to grant Her Majesty's Government the extraordinary powers for which they ask. Occasions may hereafter arise for calling upon the Government for a fuller justification of this measure, and also for a vindication of the policy which they have pursued in Ireland; but the House of Commons having, in a House of 370 Members, passed this Bill with a protest against its introduction from the insignificant number of only six Members, I hope that your Lordships' House, without even so many as six, or even one dissentient voice, will not hesitate, in the cause of law and order and the security of life and property, to give to Her Majesty's Government that support and those powers which they declare to be essential.

On Question, *Resolved* in the *Affirmative.*

Standing Orders suspended.

Then it was *moved,* "That the Bill be now read 2^a."—(*Earl Russell.*)

Motion *agreed to:* Bill read 2^a accordingly:—Committee *negatived:*—Bill read 3^a, and *passed.*

MESSAGE TO THE COMMONS—To request that House to continue sitting for some time.

ART BILL [H.L.]

A Bill for facilitating the public Exhibition of Works of Art—Was *presented* by The Lord STANLEY of ALDERLEY; read 1^a. (No. 15.)

TELEGRAPH ACT AMENDMENT BILL [H.L.]

A Bill to amend the Telegraph Act, 1863—Was *presented* by The Lord STANLEY of ALDERLEY; read 1^a; and Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with; and the LORDS SUMMONED. (No. 13.)

House adjourned during pleasure.

[It was now about twenty minutes past Five of the clock.]

House *resumed.*

[It was now about half past Eleven of the clock.]

CATTLE DISEASES BILL.

Brought from the Commons; read 1^a; and Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with; and the LORDS SUMMONED: (The LORD PRESIDENT). (No. 14.)

MESSAGE FROM THE COMMONS—To acquaint this House, That they will continue sitting for some Time as desired by this House.

About twenty-five minutes before One of the clock, The LORD CHANCELLOR acquainted their Lordships that Her Majesty had issued a Commission to himself and other Lords, commanding them to give her Royal Assent to a Bill which had that day been agreed upon by both Houses, suspending the Writ of Habeas Corpus in Ireland.

The LORD CHANCELLOR commanded the Usher of the Black Rod to signify to the Commons that their attendance is desired in the House of Peers to hear the Commission read.

And the COMMONS being come with their SPEAKER, and the Commission being read; the Clerk of the Crown read the title of the following Bill—namely, HABEAS CORPUS SUSPENSION (IRELAND) BILL:—

And the Clerk of the Parliament signified Her Majesty's Assent to the said Bill.

House adjourned at a quarter before One o'clock A.M., till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Saturday, February 17, 1866.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Habeas Corpus Suspension (Ireland); *ordered, presented*, read 1°, 2°, *committed, considered* in Committee, *reported*, read 3° and *passed;* Mr. SPEAKER *reported* the *Royal Assent.*
Committee—Cattle Diseases (*re-comm.*) [20]; Cattle Plague (*re-comm.*) [7] [R.P.]
Report—Cattle Diseases (*re-comm.*) [20].
Considered as amended—Cattle Diseases [20], and *re-comm.*

The House met at Twelve of the Clock.

DEBATE ON THE ADDRESS.
MR. WHALLEY AND DR. MANNING.
PERSONAL EXPLANATION.

MR. WHALLEY said, he wished briefly to occupy the attention of the House while he gave a personal explanation, and sought to do justice to a gentleman of great eminence. In a recent speech he had used words which purported to express the sentiments of Dr. Manning. He had received a communication from Dr. Manning, requesting him to state the authority upon which he (Mr. Whalley) had attributed those sentiments to him. He had furnished Dr. Manning with that authority, and he held a letter in his hand from Dr. Manning, in which he entirely repudiated the sentiments which had been attributed to him, and he (Mr. Whalley) was perfectly ready to accept the repudiation of those sentiments on the part of Dr. Manning.

HABEAS CORPUS SUSPENSION (IRELAND) BILL.—LEAVE.
FIRST, SECOND, AND THIRD READING.

SIR GEORGE GREY: Sir, it is with very deep and sincere regret that I rise to make the Motion of which I have given notice, and which I shall have to place in your hands to put from the Chair. The power which the Government now feel it their duty to ask Parliament to grant them is one which no Government ought lightly or hastily to ask for; and I need not say to the House of Commons that no House of Commons ought lightly, or on insufficient grounds, to place such a power in the hands of a Government. In making the Motion I am about to submit, I make it under a deep sense which the Government entertain that, in the present state of Ireland, after having exhausted all the powers of the ordinary law, it is their imperative duty to ask Parliament for that additional power which will enable them to put an effectual check on a wicked and wide-spread conspiracy which now exists in Ireland, and afford protection to the loyal and faithful subjects of Her Majesty in that country. There may, indeed, be some who think that the Government are late in making this application, and that it ought to have been made sooner. I know that impression is entertained by some Gentlemen who, residing in Ireland, are deeply sensible of the alarm and apprehension which pervade that country, and of the injurious consequences which must ensue to Ireland from the treasonable proceedings which unhappily are going on there. But I do not think the House of Commons will censure the Government for having waited till they were convinced that every power of the ordinary law had proved ineffectual, and every constitutional form of proceeding had been exhausted, and that additional and extraordinary powers were necessary for the accomplishment of the object which we must have in view.

Sir, I need not advert in detail to the existence and the objects of the Fenian conspiracy; they are unhappily too notorious—too painfully notorious—to those Gentlemen who have resided in Ireland, and have shared—and shared, I believe, on reasonable grounds—in the alarm and apprehensions which the proceedings of persons engaged in that conspiracy have caused. The Fenian conspiracy has lately assumed proportions, a form, and an organization which could hardly have been expected a short time ago. I believe, if you go back to 1862, the Fenians were then known to exist in Ireland; and that persons calling themselves Fenians, in different parts of Ireland, were making speeches, and writing articles in the newspapers, of a seditious character, tending, if their opinions became generally prevalent, to subvert the institutions of the country. But those individuals were few and inconsiderable; and the Government, while they kept a watch upon them, did not think it would be wise or prudent at that time to use the power which the law placed in their hands by instituting prosecutions against them. A remarkable change, however, has taken place coincident with the cessation of the civil war in America. The connection of these two events—the cessation of the civil war in America, and the present form, extent, and organization of this conspiracy in Ireland—it is not difficult to trace. We all know that a very large number of Irishmen were engaged in the service of the United States, and formed a considerable part of the armies with which that civil war was conducted. On the termination of that war — their services being no longer required in the ranks of the army of the United States—these men concerted together, they met, and they formed themselves into associations for the purpose of organizing a conspiracy, in concert with disaffected persons in Ireland corresponding with them, to subvert the authority of the Queen in that country, and sever Ireland entirely from the Crown of England. We all know that meetings have been held; that conventions have met in America; and that there has been a complete organization, corresponding with a similar organization in Ireland, with a view to effect that treasonable object. The avowed objects of those conventions, those meetings, and that organization in America has been to excite and assist by money, by arms, and by men, insurrectionary movements in Ireland. For that purpose agents have been sent in large numbers from America to superintend operations in Ireland in correspondence with the leaders of the movement in America, and those agents have been most active in the measures they have taken with a view to the accomplishment of the purposes for which they were sent to this country. I am passing lightly over these matters, because I think it would be wasting the time of the House if I were to dwell on matters which are so notorious; but I may say that the proceeding of those men were closely watched by the Government. The Government were not indifferent to them, because they did not take immediate steps for the suppression of this conspiracy. The Government watched the conspirators till they could strike a blow with effect, and could strike it on evidence so clear, so cogent, and so overwhelming as would convince every one they were fully justified in the steps they had taken. But the time came when it appeared to the Government that they ought, without further delay, to defeat this conspiracy, and bring those persons to justice. Accordingly, on the 16th of September, a seizure was made by the Government of the paper called *The Irish People.* I should be ashamed to waste the time of the House by reading extracts from that paper to show its seditious and treasonable character. Evidence in abundance was given on this point at the Special Commissions held recently. Simultaneously with the seizure of *The Irish People* the principal leaders—or those supposed to be the principal leaders—in the conspiracy, were arrested, and the mass of documentary evidence which fell into the hands of the Government was of the clearest and most overwhelming character with respect to the designs of the conspirators and the means by which they sought to effect their objects. I need not trouble the House with many of those documents, because I am anxious to occupy your attention for only as short a time as is consistent with my duty; but let me read a paper seized on that occasion in the handwriting of a man named Stephens, well known as the leader of the movement in Ireland—a Head Centre, as he is called. This paper was proved to be in the handwriting of Stephens by a witness named Nagle in the trial of Patrick Connor, and was a part of the evidence adduced at the recent trials. This document was taken from a person named Patrick Power. It runs thus—

"Dublin, September 8, 1865.

"Brothers,—I regret to find that the letter I addressed to you has never reached you. Had you received it I am confident all would have been right before this, because I told you explicitly what to do, and, once you saw your way, it is sure to me that you would have done well. Far as I can understand your actual position and wishes now, the best course to take is to get all the working B's together, and after due deliberation and without favour to any one—acting purely and conscientiously for the good of the cause—to select one man to represent and direct you all. This selection made, the man of your choice should come up here at once, when he shall get instructions and authority to go on with the good work. There is no time to be lost. This year—and let there be no mistake about it—must be the year of action. I speak with a knowledge and authority to which no other man could pretend, and I repeat, the flag of Ireland—of the Irish Republic—must this year be raised. As I am much pressed for time I shall merely add that it shall be raised in a glow of hope such as never gleamed around it before. Be, then, of firm faith and the best of cheer, for all goes bravely on.

Yours fraternally, J. POWER."

"N.B.—This letter must be read for the working B's only, and when read must be burnt."

I may observe that the letter "B" was used to designate captains in the Fenian force. The paper is dated September, 1865, a few days before the seizure of *The Irish People.* Now Stephens, as is well known, was subsequently arrested, and on his person were found documents, with which I need not trouble the House in detail. I may, however, mention that among those papers were lists of persons who had come from America to take part in the movement with the "rank" attached to each name. There is "colonel," "lieutenant-colonel," "captain," "sergeant," and so on. One person has the title of "major-general," and another that of "brigadier-general," against his name. There is also a statement of the sum of money advanced to those persons here or in Ireland, in two or three cases amounting to £70. In another column there is the date at which each had sailed from America. There was found on Stephen's a paper signed by a man named Kearney, who seems to have been employed in the manufacture of implements of war. In it there is the statement—

"I have got seven 'B's' (or captains), 54 'C's' (or sergeants), and about 400 rank and file, with five revolvers, fourteen rifles, and 300 pikes. I hope this will satisfy you."

That is the character of the documents which were found on the persons arrested. We all know that most of the persons arrested were tried by a Special Commission. These trials lasted for a considerable time, and the fullest evidence was given at the trials as to the guilt of the accused. It has been universally admitted that the trials were conducted with the greatest fairness and impartiality — in a manner which left on the public mind the impression that every man who had been convicted had been justly convicted. Sir, we hoped that those trials would have had the effect of checking the progress of the conspiracy. The Judges—the eminent Judges—before whom the prisoners were tried, in passing the sentences, addressed not the prisoners only, but the whole nation of Ireland in terms calculated to impress upon all who heard or read their words the dreadful consequences which must result to the country from the prosecution of this wicked, this insane conspiracy. They pointed out all these evils, and raised the voice of warning to the persons engaged in the conspiracy. It was hoped that these trials, and the circumstances connected with them, would have had a useful result. For a time the Government indulged in that hope, but with the escape of Stephens, which seemed to give them renewed energy, the activity of the conspirators increased. Shortly after these arrests, bills from America to the amount of no less than £3,000, addressed to the leaders of the conspiracy who were then in custody, were intercepted by the Government. The *Irish People* newspaper also, which had been suppressed in Dublin, was ostentatiously republished in America and sent to Ireland for circulation through the country. Of course, wherever that paper has been found containing treasonable articles it has been seized by order of the Government, and any person circulating it is subject, no doubt, to a prosecution; but if this paper is brought over and privately circulated by the agents who are constantly coming from America, it is impossible for the Government, under the existing powers of the law, to prevent it. It has been found that many persons who have been arrested were well supplied with arms, and places have been discovered in which the manufacture was carried on of bullets and other implements of war; and with them documents have been found in which the most treasonable appeals are made to the people, showing the purpose for which these arms were designed. A large number of persons—I do not call them American citizens, but Irishmen, who at a previous period left their country for America, and enrolled themselves in the Federal army, and who are termed Irish-Americans—a large number of those persons, who are well-known to the police, have returned to Ireland, and are now dispersed about the country. Not long ago a seizure was made of a large number of rifle bullets and other implements manufactured for the purpose of this conspiracy. One of these seizures was made on the 11th of January, and a document which I will read to the House was found on the person of a man named James Flood, who has since been tried and convicted on a charge of having been concerned in the manufacture of the bullets. This document purports to be a proclamation to the Irish people. It is dated the 30th of December, 1865, and is in the following terms:—

"To the Irish People.—Citizen Soldiers,—Again we address you on the importance of the coming struggle. To urge upon you the necessity of prudence we shall not now do, as your past conduct proves you to be men of prudence and discretion. But we shall urge upon you the necessity of earnest preparation. Let all true Irishmen understand one another. In a country where it is 'treason' to have a rifle it is necessary for you to put your weapons in concealment until the day of action. That grand work of liberation shall soon begin. Soon shall our country have an army of citizen-soldiers; soon shall the sunburst shine upon our hills. Our perfidious enemy, aware of the power with which she will have to cope, is making every preparation. She is fortifying her strongholds, barring her prisons, arming her 'loyal' subjects—amongst the rest, 'Orangemen.' She is sending English and Scotch troops to our country. But her strongholds shall give way; her prison doors shall fly open; her arms and her troops become an instrument against herself. She has to contend against that mightiest of powers, the outraged but almighty people. The perjured press, in their fear, thunder out against us. They and all Irish foes will have soon cause to regret the day they worked against their country. We call upon all classes of our countrymen, no matter what creed they profess, to stand forth and be ready to aid in the liberation of Ireland. Ours is no party cause. We embrace Protestants, Catholics, Dissenters, and all who love Ireland. For Ireland a Republic, for Ireland in freedom, we work. A band of patriots, bound together by all the ties of amity and patriotism, pledged to one another in the sacred cause of liberty, may ere long commence that glorious struggle for the accomplishment of which so many have sacrificed their lives on the scaffold and in the field. Let all true men hold themselves in readiness. We advise sobriety, preparation, and prudence. Remember Emmett! Think on your imprisoned countrymen.—By order of the Vigilance Committee. God save the People."

Now, the language of that proclamation may be ridiculed as contemptible here, because we know the power of England and how futile any attempt would be to raise an insurrection in Ireland. But we must bear in mind the effect which language like this, conveyed in such a proclamation, is likely to have upon an excitable people—a people, I say it emphatically, deluded by the hope that they will be assisted by an army from the United States. I am bound to say, on behalf of the Government of the United States, that this insurrectionary movement has received no countenance, not even a shadow of support, from them. I know that the hopes of these misguided men are altogether illusory. The very first moment an insurrection should arise, however disastrous the first consequences might be, the power and strength of this country must soon absolutely crush it. But those persons who have arrived from America in large numbers, and who are swearing in members in different parts of the country, are not only holding out these hopes to the uninstructed and half-informed peasants of the country, but they are also doing that which possibly might be attended with far more serious consequences. There is hardly a regiment in Ireland in which they have not contrived to introduce themselves, with the view of seducing the soldiers from their allegiance. But I can speak confidently, and with a firm conviction, of the loyalty of the army. I do not believe that the attempts of these men can have any influence on our military force. It is notorious, however, that in regiments composed in large measure of Irishmen, and some of them scattered in small detachments about the country, agents who have plenty of money in their hands may possess the means of influencing individual soldiers, of detaching them from their allegiance — a result which would only end in their own ruin and punishment. Some instances of that kind have come under the notice of the Government, and some individual soldiers—few in number, I am glad to say—are now under arrest, and awaiting their trials. Now, nothing can be more wicked than the attempts of these men to withdraw our soldiers from their sworn allegiance to their Sovereign, and it is clearly the duty of the Government to check all such attempts in the most effectual manner. It may be asked, "Why are not these agents arrested?" Well, many of them have been arrested, and many more of them are known to the Government and the police. But after what took place on the occasion of the seizure of *The Irish People* and the arrest of Stephens, it would appear that these agents have carefully abstained from having documents in their possession which would subject them to a criminal prosecution. There has been a great deal of money and gold found in their possession, but no documentary evidence to justify the Government in putting them upon their trial.

Sir, the result of this state of things has been a general feeling of alarm and insecurity pervading the whole country. Representations have been made to the Irish Government from time to time by different classes of persons, calling upon the Government to take measures for their protection, and to prevent a rising in their part of the country. Now, such a rising, though it would be immediately suppressed, would, no doubt, be attended in the first instance with bloodshed, massacre, and the other crimes which the people usually commit in the first moment of an insurrection. The Irish Government had to consider all these applications, and while anxious not to cause unnecessary alarm, have taken from time to time the measures which they felt to be necessary. From time to time reinforcements have been asked for, which were immediately sent over. The effect of this is shown by the proclamation which I have read to the House, in which mention is made of English and Scotch troops being sent to Ireland. There is not the slightest foundation for the statement that the Commander-in-Chief has taken steps to prevent regiments in which there was any considerable number of Irishmen from being sent to Ireland. I do not believe that the Commander-in-Chief has, in a single instance, departed from the regular roster; he has relied upon the loyalty of every regiment, and upon its faithfully discharging his duty. Another question for the Irish Government to consider was the expediency of sending detachments to different parts of the country. It is clear that to station troops in small detachments in different parts of the country is liable to great objection. So strong, however, were the representations received from various parts of the country, and so well founded appeared to be the apprehensions of danger in consequence of the language and conduct of the conspirators, that the Government have felt it to be its duty to send detachments of troops to afford the protection which was urgently demanded.

Sir, I wish to show that the Government have taken all the means in their power to deal with the existing state of circumstances. They exerted all the powers they possess, and resorted to the ordinary legal processes for the punishment of the conspirators. Indeed, they are still doing so. Arrests are now taking place from day to day, as sufficient evidence is obtained, and every person apprehended is taken before the ordinary constitutional tribunals of the country. They have been asked to send, and have sent, the reinforcements which were necessary to afford protection and security to the loyal and faithful subjects of Her Majesty in Ireland. And, in addition to this, the Government has used the power given by the Peace Preservation Act of proclaiming counties in Ireland. This, I believe, has been done to a greater extent than it ever has been before. The object of this was to detect manufactories of implements of war, and the arms which the Government had reason to believe were collected to a large extent with a view of their being placed in the hands of the people when the intended rising should take place. Several maritime counties have been proclaimed in order that vessels arriving from America may be searched, and the consequence has been that a large quantity of arms have been seized by the Government. Now, the Government possesses no other powers except the use of the military force, which could hardly be relied upon to prevent the possibility of a rising in some part of the country. They have no other power beyond that of arresting and sending before the ordinary tribunals the principal persons concerned in the movement. Thirty-six of the principal leaders of the movement are now undergoing penal servitude for various terms, and others are undergoing imprisonment; but every vessel arriving from America brings agents with fresh supplies of money, and these agents endeavour to excite delusive expectations among the people, which cannot but have a very bad effect. I may say here that the proposal we are now making is not suddenly or hastily adopted. Lord Wodehouse has anticipated its probable necessity, and has communicated to the Government his belief that it might possibly be indispensable to have recourse to such a measure. He, however, felt it was his duty to exhaust every power which the ordinary law and the ordinary means at the command of the Government placed in his hands before Parliament should be asked to assent to this extreme measure. On the 21st of January, after the reinforcements he had applied for had been sent to him, he wrote to me a letter, of which the following is an extract:—

"I hope that the presence of troops in some of the towns may perhaps allay the general alarm. I am, however, by no means confident on this point, and I wish to call the serious attention of the Government to the state of affairs here, which I regret to say becomes daily more unsatisfactory. When *The Irish People* was seized and the arrests made, the Fenians were for a while stunned by the blow, especially by the arrest of Stephens; but after Stephens' escape their spirits greatly revived, and their activity was renewed. At the present moment, notwithstanding the perfect success of the Crown at the trials, they are more active than ever. I waited patiently to see whether the alarm in the country would subside; but the alarm has gone on continually increasing. I am now disposed to try what effect can be produced by proclamations, and by detaching troops to the more remote districts. With this view we are about to send troops to Tralee and Sligo, and to proclaim the counties of Sligo and Carlow in accordance with the strongly expressed wishes of the magistrates. Other proclamations will probably become necessary hereafter. But I do not expect that these measures will be sufficient; and, in common with Mr. Fortescue and the Attorney General, I have come to the conclusion that we may have to propose to the Cabinet to ask Parliament to suspend the Habeas Corpus Act. What we have to deal with is a secret revolutionary organization spread over a great part of the country, supported by money from the Irish in America and Great Britain. This organization has its paid agents in most of the towns in Ireland, diligently propagating rebellion and swearing in recruits. I send you a return of men who served in the American war, who are known to the constabulary as Fenian agents. There are, no doubt, others who escape notice. I have asked for a similar return from the rest of Ireland. These are the men who would take command of the rebels, and there cannot be a more dangerous class. Besides them, we know that there are some hundreds of men in Dublin and elsewhere who have come over from England and Scotland, who receive regular pay, and are waiting for the signal of an outbreak. Now, we see no remedy for this but the supension of the Habeas Corpus Act. We should be able to arrest the paid agents of revolution, and to prevent the assemblage in the capital of men sent over specially to take part in a rising. The remedy may appear sharp, but the disease is very serious, and I am convinced will yield to nothing but sharp treatment. Without saying that the moment has actually arrived for so strong a measure as the suspension of the Habeas Corpus Act, I have thought it right to warn the Cabinet that, in my judgment, that moment is not far distant.

"P.S. I forgot to mention that we have arrested at various times and places the American-Irish agents, but they are too wary to carry about with them the evidence necessary to convict them. We usually find on them drill-books and a sum of money —sometimes considerable—in gold."

MR. ROEBUCK: What is the date of that letter?

SIR GEORGE GREY: The 21st of January. The next letter which I think it necessary to read from Lord Wodehouse relating to this subject—and I may say that for some time past I have been almost in daily communication with him on the matter—is dated the 4th of February, and in it he says—

> "I have little hope of pacifying the alarm, which is doing most serious injury to every interest here, without seizing the agents, who are busily employed all over the country, sowing sedition and organizing the conspiracy."

On the 9th of February he wrote a letter the substance of which was that he still desired to try whether, by a judicious disposal of the troops at his command, he could not effect his object without having recourse to more extreme measures. But on Thursday last I received a letter which the House will allow me to read. It is dated the 14th of February, and it reached me on the afternoon of the following day. In it he says—

> "I have come to the conclusion, after most careful consideration, that the time has arrived when it is indispensable for the safety of this country that the Habeas Corpus Act should be suspended. The Chancellor and Mr. Fortescue authorize me to say that they entirely concur in the pressing urgency of the measure."

And here I may say that Mr. Fortescue is willing to shrink from no share of the responsibility attaching to this proposal. He is himself an Irishman, and all who know him are aware that he would be the last man unnecessarily to recommend that any extreme measure of this kind should be adopted. But so fully convinced is he of its necessity in the present case, that he wrote to the head of the Government to say how entirely he concurred in the recommendation which he was aware Lord Wodehouse had addressed to us. The Lord Lieutenant's letter goes on to say—

> "There is a complete agreement among my advisers, and they feel most strongly with me the urgent necessity for prompt, indeed immediate, action. The state of affairs is very serious. The conspirators, undeterred by the punishment of so many of their leaders, are actively organizing an outbreak with a view to destroy the Queen's authority. Sir Hugh Rose details the various plans they have in contemplation."

He has discovered that these agents are making plans of detached forts and barracks.

> "And he draws no exaggerated picture. There are scattered over the country a number of agents who are swearing in members, and who are prepared to take the command when the moment arrives. These men are of the most dangerous class. They are Irishmen imbued with American notions, thoroughly reckless, and possessed of considerable military experience, acquired on a field of warfare (the civil war in America) admirably adapted to train them for conducting an insurrection here. There are 340 such men known to the police in the provinces, and those known in Dublin amount to about 160, so that in round numbers there are 500—of course there are many more who escape notice. This number is being augmented by fresh men constantly arriving from America. In Dublin itself there are several hundred men (perhaps about 300 or 400) who have come over from England and Scotland who receive 1*s.* 6*d.* a day, and are waiting for the time of action. Any one may observe these men loitering about at the corners of the streets. As to arms, we have found no less than three regular manufactories of pikes, bullets, and cartridges in Dublin. The police believe that several more exist. Of course, bullets are not made unless there are rifles to put them in. The disaffection of the population in certain

counties, such as Cork, Tipperary, Waterford, Dublin, is alarming, and it is day by day spreading more and more through every part of the country. But the most dangerous feature in the present movement is the attempt to seduce the troops. Are we to allow these agents to go on instilling their poison into our armed force, upon which our security mainly depends?"

These attempts, as I have said before, have been successful to only a very limited and partial extent, but such as they are they will, I fear, implicate certain persons in consequences to them of the most serious character. The letter proceeds to say—

"I feel confident that the suspension of the Habeas Corpus Act will have a most salutary effect. It is remarkable that our reports show that the Fenian leaders are saying that there is no time to lose, as if they delay the Act will be suspended. I trust that the Cabinet will not think me an alarmist. I have watched every symptom here for many months, and it is my deliberate conviction that no time should now be lost in suspending the Act. I cannot be responsible for the safety of the country if power is not forthwith given to the government to seize the leaders. With that power I hope still to avert serious mischief. I most earnestly urge that the Bill for the suspension be brought in without delay."

Sir, upon the receipt of that letter, I communicated at once with the noble Lord at the head of the Government, and asked that a Cabinet Council should be immediately summoned. It was summoned, and took this letter into consideration. We felt it to be our imperative duty—a duty from which we could not shrink—immediately to lay these facts before the House of Commons, and to invite them to concur in granting those powers which the Lord Lieutenant and his advisers, and Her Majesty's Government deem absolutely essential for the safety of the country.

Sir, there is one consideration of a very satisfactory nature connected with this matter. This conspiracy differs from other conspiracies which have existed in Ireland in this—that it embraces within its sphere, I believe, no persons of any position or influence in the country—I mean, of course, no persons who, from their position among their countrymen, are entitled to any just influence. I think the paragraph in the Queen's Speech most justly describes this conspiracy. It is one not for a repeal of the Union, retaining the connection of Ireland with the British Crown, or any legislative change, but one the avowed object of which is to wrest Ireland from the British Crown, and transfer it in subjection to some foreign Power. That Speech describes it as "a conspiracy against authority, property, and religion," and justly characterizes it as a conspiracy—I will not say discountenanced but reprobated by every one who had anything to lose, and who has any regard for authority and religion, irrespective of creed or class. That is a most satisfactory consideration for us in dealing with this conspiracy. It shows that it is no social or political injustice which has given rise to this conspiracy. The truth is, it is a conspiracy which emanates from abroad. Its centre is in America, whence its agents and leaders have come to this country who are endeavouring by combined action to stir up the people to insurrection for the purpose of wresting Ireland from the British Crown.

Let me allude to that great meeting which was held lately in Dublin, comprising men of different politics and different creeds—some supporters of the general policy of Government, others its opponents—but all uniting together in the expression of their alarm at the present state of things, and all pledging themselves as loyal subjects of the Crown to give every assistance to the Government, in putting down the conspiracy, and in restoring peace and security in Ireland.

Sir, the disastrous consequences which must follow from such a state of things as now exists, should it remain unchecked, are too obvious to require me to dwell on them. It must paralyze industry; must deter capital from coming into the country; must check every development of its resources; and prevent every practicable improvement in its condition. It is most important, therefore, for the interests of the country, that the conspiracy should be checked. All I ask this House to do is to judge for themselves whether, from what I have stated, and from their own knowledge of the facts, it is not notorious and patent that a conspiracy, dangerous to the peace and destructive to the interests of Ireland, exists in that country; whether the Government have zealously, and energetically exerted the powers at present vested in them by the law in endeavouring to check this conspiracy; and then, if that be so, whether I have not made a sufficient case to justify me in coming to Parliament and asking for additional powers by which this conspiracy may be put down. If the House is satisfied that there is good cause for the proposals I have made, let me add one word more. I trust hon.

Members will feel that it is important that the powers asked for should be placed in the hands of the Government with the least possible delay, because the object in view might be defeated by delay. The Government make this proposal upon their own responsibility; and it is now for the House of Commons, looking to the great interests at stake and to the important object to be attained, to decide whether they will share with the Government the responsibility of giving to the Government of Ireland the power asked for, to enable it to deal effectually with this evil. I trust hon. Members will feel I have made out a sufficient case for the proposal of the Government. No Government, as I have already said, ought lightly to make such a proposal; no man ought individually to support it unless convinced of its necessity; and no House of Commons should—and I am sure none would—lightly, and on insufficient grounds, place such power in the hands of the Government. I trust, however, that if the House feels it essential, with a view to the security of Ireland, it will arm the Government with the power requisite to counteract and suppress as wicked a conspiracy as was ever conceived, audaciously promoted by men who know how to keep within the limits of the law and not expose themselves to its penalties, and thus to protect Ireland from the disasters and horrors of insurrection. It is not with a view to punishment, but with a view to prevention, that this power is asked for. The effect of its being exercised with the discretion upon which we can rely, will be to frustrate the mad attempt to stir up insurrection. It will afford the most effectual check — indeed, the only effectual check—upon the proceedings of the emissaries of sedition and treason in Ireland. We propose to limit the operation of the Bill to six months, ending on the 1st of September, a period which we hope will be sufficient to accomplish the object in view; and Parliament will have an opportunity before it separates to consider whether it is necessary—which, I trust, it will not be—to leave that power in the hands of the Government for a longer period. Sir, I have now to move that leave be given to bring in a Bill to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time such persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain, for a limited time, such persons as he or they shall suspect of conspiring against Her Majesty's Person and Government."—(*Sir G. Grey.*)

MR. DISRAELI: Sir, I listened with much concern to the notice given by the right hon. Gentleman the Secretary of State yesterday, and I have heard his narrative this morning with unaffected anxiety. For a Government to come forward to suspend the most precious constitutional right of the people is an act which requires on their part the greatest courage; and if a Parliament concede such a measure it is obvious that it must be done with the utmost reluctance. I, therefore, cannot agree with some expressions of opinion that I have listened to—that Her Majesty's Ministers should be blamed because they have hesitated in coming forward to make this proposition. If, indeed, this were the occasion on which to criticise the conduct of Her Majesty's Government with regard to their administration of Irish affairs, I would rather myself have touched upon the delay, the hesitation, and the want of prescience and energy which have been exhibited by Her Majesty's Government with respect to these matters on preceding occasions. For example, it was only last year that an act was repealed under which Her Majesty's Ministers might have obtained all the powers that are now necessary, without having recourse to Parliament, under the pressure of the extreme circumstances which now exist. The Members of the present House, who were Members of the last Parliament, will recollect that an Act—an antiquated Act of Parliament — called the Rapparee Act was repealed during the last Session. That was an Act of the reign of Queen Anne. I believe there was no objection from any party in this House to concede the repeal of an Act which was entirely obsolete, and which was totally unworthy of this country. But during the passing of that Act—a clause from a comparatively modern Act of Parliament—I believe the 50 *Geo.* III—which was inserted during the progress of the Bill, was also repealed. Under that clause I believe the Government of the Queen possessed, and might have exercised, all those powers which are necessary, without the necessity of coming forward to ask, I admit with due reason, this infraction of the Constitution of the realm. I consider that Parliament is entitled to some further explanation on this point from Her Majesty's

Ministers. We are told, and told justly, by Her Majesty's Government that these insurrectionary movements in Ireland have been greatly stimulated and precipitated by the termination of the struggle in America—by the conclusion of the civil war in that country. The repealed clause in the Act of George III. empowered the government of Ireland to arrest all vagrant strangers who had no ostensible home, who could give no satisfactory account of themselves, and could allege no legitimate occupation. The Bill for the repeal of the Act, and of the clause in question, was before Parliament for a considerable period during the last Session. The conclusion of the American civil war was pretty certain early in the spring. Wilmington was taken in April. The evacuation of Richmond followed shortly afterwards. The attention of Government ought to have been given, and confessedly was given, to the Fenian movement long before these events took place; and it is a circumstance which requires ample explanation why the Government permitted such an important provision to be repealed when they were duly cognizant of the disturbed and menacing condition of Ireland. Surely, when we are told that the Lord Lieutenant of Ireland has given such unbroken and anxious attention and vigilance to the affairs of that country, it is not unreasonable for Parliament to expect that the Lord Lieutenant and his Advisers, and Her Majesty's Ministers in this country, should not allow changes in the laws that regulate the condition of affairs in Ireland to take place unnoticed, when, by their negligence, such serious consequences might be produced. Had this clause to which I have referred not been repealed, if the interpretation I put upon it be correct, these dangers, now imminent, could never have arisen, and much of the danger and injury to which Ireland has already been subjected might have been prevented without infringing the rights of orderly and loyal men. But, although I have thought it necessary to advert for a moment to a point of great interest to the country at present, and which requires a due explanation from Her Majesty's Government, I have now to look upon the existing state of affairs in Ireland, and I have to ask myself what is our duty under present circumstances. So far as I am concerned I cannot hesitate upon this subject; and I, for one, shall follow exactly the course which I pursued in the year 1848 under similar circumstances when, by an unhappy destiny, the present First Minister of the country was obliged to appeal to Parliament to sanction a similar violation of the Constitution. If, on that occasion, when I consented to support the appeal of the Government I had believed that the menaced insurrection in Ireland was occasioned by any misgovernment of that country—although I admit that even under such circumstances a consent to the proposition of the Ministry might have been necessary—still, in giving that assent I should have coupled with it an expression of my hope that Her Majesty's Ministers would have taken into consideration measures of a remedial character. But upon that occasion, as upon this, it was perfectly clear that the state of affairs in Ireland was not produced by any domestic or internal cause. It is not now produced by any agrarian cause, because it is well known that the most influential class among the agricultural population, just referred to by the Secretary of State, has, with great reluctance, sanctioned these movements, or connected itself with them. It is not a movement produced by any religious grievances; on the contrary, it is undoubtedly the truth that the Roman Catholic priesthood of Ireland has opposed and discouraged by all its means and powers this disposition and these movements on the part of the disaffected, opposing revolutionary principles as they always have done, and as becomes the priesthood of an ancient and authoritative Church. And no one can hold for a moment that this is a movement occasioned by the ordinary political passions which influence a free country. It is not to obtain increased privileges, and it is not to secure denied rights. It is, on the contrary, so far as political influences can affect men, an attempt upon the majesty of England. It is not directed against the predominance of a party. It is not directed against the authority of any particular institution or establishment; but it aims at the Throne of England and the greatness of her Empire. Under these circumstances, I cannot hesitate to give a complete support to the proposition of the Government. Whether the preceding policy of the Government did encourage such a state of affairs as now exists in Ireland is a legitimate subject for future Parliamentary question and investigation; but all that the House has to consider now is, whether the statement of the present condition of Ireland made by the Secretary of State, is a correct one. Who can doubt it? Who can doubt these facts which are known in their general character to all of us? Her Majesty's Government asks us to legislate upon events and circumstances of which we ourselves are the competent judges. They do not come here as in old days with a conspiracy in a green bag to startle the country by sudden revelations into violent courses. They have given us a statement of the condition of a portion of Her Majesty's dominions of which we, from our own experience, are competent judges. I do not for one moment question the authenticity of the statement made by the Secretary of State, and I cannot for a moment hesitate as to the course I shall pursue with regard to it. But if the House consent, as I hope it will—and consent unanimously—to this proposition; if we are prepared to give the Ministry with respect to this, and to all arrangements connected with this subject, a unanimous and unwavering support, I would impress also upon the House the immense importance of the utmost promptitude of action. It is not merely that promptitude of action may prevent immediate and future calamity and mischief, but if Parliament be unanimous in supporting Her Majesty's Ministers in this proposition, and prompt in carrying the measure into effect, there is a proportionately better chance of diminishing the period during which this exceptional state of affairs is to continue. It is therefore in the interest of the liberty of Ireland itself; it is in favour of its freedom and the continuance of its privileges; that I say it is our duty and our policy if we consent, as I doubt not we shall consent to the measure of the Government, that we should support those regulations by which the passage of this measure shall be carried without a moment's delay. I trust that the House will, by its cordial and unanimous support of the Government, show to Europe that we are resolved to maintain the Majesty of the Crown of England, and that the people of this country—prepared as they are on all occasions to legislate for their fellow-subjects in Ireland in a spirit of conciliation and of justice—are resolved that no foreign conspiracy shall deprive Her Majesty of one of the most valuable portions of her dominions.

MR. BRIGHT: I owe an apology to the Irish Members for stepping in to make an observation to the House on this question. My strong interest in the affairs of their country, ever since I came into Parliament, will be my sufficient excuse. The Secretary of State, on the part of the Government of which he is a Member, has called us together on an unusual day and at an unusual hour, to consider a proposition of the greatest magnitude, and which we are informed is one of extreme urgency. If it be so, I hope it will not be understood that we are here merely to carry out the behests of the Administration; and that we are to be permitted, if we choose, to observe upon this measure, and if possible to say something which may mitigate the apparent harshness of the course which the Government feels itself compelled to pursue. It is now more than twenty-two years since I was first permitted to take my seat in this House. During that time I have on many occasions, with great favour, been allowed to address it, but I declare that during the whole of that period I have never risen to speak here under so strong a feeling, as a Member of the House, of shame and of humiliation, as that by which I feel myself oppressed at this moment. The Secretary of State proposes—as the right hon. Gentleman himself has said—to deprive no inconsiderable portion of the subjects of the Queen—our countrymen, within the United Kingdom—of the commonest, of the most precious, and of the most sacred right of the English Constitution, the right to their personal freedom. From the statement of the Secretary of State it is clear that this is not asked to be done, or required to be done, with reference only to a small section of the Irish people. He has named great counties, wide districts, whole provinces, over which this alleged and undoubted disaffection has spread, and has proposed that five or six millions of the inhabitants of the United Kingdom shall suffer the loss of that right of personal freedom that is guaranteed to all Her Majesty's subjects by the Constitution of these realms. Now, I do not believe that the Secretary of State has overstated his case for the purpose of inducing the House to consent to his proposition. I believe that if the majority of the people of Ireland, counted fairly out, had their will, and if they had the power, they would unmoor the island from its fastenings in the deep, and move it at least 2,000 miles to the West. And I believe, further, that if by conspiracy, or insurrection, or by that open agitation to which alone I ever would give any favour or consent, they could shake off the authority, I will not say of the English Crown, but of the Imperial Parliament, they would gladly do so. An hon. Member from Ireland a few nights ago referred to the character of the Irish people. He said, and I believe it is true, that there is no Christian nation with which we are acquainted amongst the people of which crime of the ordinary character, as we reckon it in this country, is so rare as it is amongst his countrymen. He might have said, also, that there is no people—whatever they may be at home—more industrious than his countrymen in every other country but their own. He might have said more; that they are a people of a cheerful and joyous temperament. He might have said more than this—that they are singularly grateful for kindnesses shown to them, and that of all the people of our race they are filled with the strongest sentiment of veneration. And yet, with such materials, and with such a people, after centuries of government—after sixty-five years of government by this House—you have them embittered against your rule, and anxious only to throw off the authority of the Crown and Queen of these realms. Now, this is not a single occasion we are discussing. This is merely an access of the complaint Ireland has been suffering under during the lifetime of the oldest man in this House, of chronic insurrection. No man can deny this. I dare say a large number of the Members of this House had, at the time to which the right hon. Member for Buckinghamshire referred, heard the same speech on the same subject, from the same Minister to whom we have listened to-day. [Sir G. Grey: No!] I certainly thought I heard the right hon. Gentleman the Secretary of State for the Home Department make a speech before on the same question, but he was a Minister of the Government on whose behalf a similar speech was made on the occasion referred to, and no doubt concurred in every word that was uttered by his Colleague. Sixty-five years ago this country undertook to govern Ireland. I will say nothing of the manner in which that duty was brought upon us—except this—that it was by proceedings disgraceful and corrupt to the last degree. I will say nothing of the pretences under which it was brought about but this—that the English Parliament and people, and the Irish people, too, were told, if you once get rid of the Irish Parliament it will dethrone for ever Irish factions, and with a united Parliament we shall become a united, and stronger, and happier people. Now, during these sixty-five years—and on this point I ask for the attention of the right hon. Gentleman (Mr. Disraeli) who has just spoken—there are only three considerable measures which Parliament has passed in the interests of Ireland. One of them was the measure of 1829, for the emancipation of the Catholics and to permit them to have seats in this House. But that measure, so just, so essential, and which, of course, is not ever to be recalled, was a measure which the chief Minister of the day, a great soldier, and a great judge of military matters, admitted was passed in the face of the menace of, and only because of, the danger of civil war. The other two measures to which I have referred are the measure for the relief of the poor, and the measure for the sale of the incumbered estates; and those measures were introduced to the House and passed through the House in the emergency of a famine more severe than any that has desolated any Christian country of the world within the last 400 years. Except on these two emergencies I appeal to every Irish Member, and to every English Member who has paid any attention to the matter, whether the statement is not true that this Parliament has done nothing for the people of Ireland. And, more than that, their complaints have been met—complaints of their sufferings have been met—often by denial, often by insult, often by contempt. And within the last few years we have heard from this very Treasury Bench observations with regard to Ireland which no friend of Ireland or of England, and no Minister of the Crown, ought to have uttered with regard to that country. Twice in my Parliamentary life this thing has been done—at least, by the close of this day will have been done—and measures of repression—measures for the suspension of the civil rights of the Irish people—have been brought into Parliament and passed with extreme and unusual rapidity. I have not risen to blame the Secretary of State, or to blame his Colleagues for the act of to-day. There may be circumstances to justify a proposition of this kind, and I am not here to deny that these circumstances now exist; but what I complain of is this: there is no statesmanship merely in acts of force and acts of repression. And more than that, I have not observed since I have been in Parliament anything on this Irish question that approaches to the dignity of statesmanship. There has been, I admit, an improved administration in Ireland. There have been Lord-Lieutenants anxious to be just, and there is one there now who is probably as anxious to do justice as any man. We have observed generally in the recent trials a better tone and temper than were ever witnessed under similar circumstances in Ireland before. But if I go back to the Ministers who have sat on the Treasury Bench since I first came into this House — Sir Robert Peel first, then Lord John Russell, then Lord Aberdeen, then Lord Derby, then Lord Palmerston, then Lord Derby again, then Lord Palmerston again, and now Earl Russell—I say that with regard to all these men, there has not been any approach to anything that history will describe as statesmanship on the part of the English Government towards Ireland. There were Coercion Bills in abundance — Arms Bills Session after Session — lamentations like that of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) that the suspension of the Habeas Corpus Act was not made perpetual by a clause which he laments was repealed. There have been Acts for the suspension of the Habeas Corpus Act, like that which we are now discussing; but there has been no statesmanship. Men the most clumsy, and brutal, can do these things; but we want men of higher temper—men of higher genius —men of higher patriotism to deal with the affairs of Ireland. I should like to know whether those statesmen who hold great offices have themselves comprehended the nature of this question. If they have not, they have been manifestly ignorant; and if they have comprehended it they have not dealt with it, they have concealed that which they knew from the people, and evaded the duty they owed to their Sovereign. I do not want to speak disrespectfully of men in office. It is not my custom in this House. I know something of the worrying labours to which they are subjected, and I know not how from day to day they bear the burden of the labour imposed upon them; but still I lament that those who wear the garb—enjoy the emoluments—and I had almost said usurp the dignity of statesmanship, sink themselves merely into respectable and honourable administrators, when there is a whole nation under the sovereignty of the Queen calling for all their anxious thoughts —calling for the highest exercise of the highest qualities of the statesman. I put the question to the Chancellor of the Exchequer. He is the only man of this Government whom I have heard of late years that has spoken as if he comprehended this question, and he made a speech in the last Session of Parliament that was not without its influence both in England and in Ireland. I should like to ask him whether this Irish question is above the stature of himself and of his Colleagues? If it be, I ask them to come down from the high places which they occupy, and try to learn the art of legislation and government before they practise it. I believe myself, if we could divest ourselves of the feelings engendered by party strife we might come to some better result. Take the Chancellor of the Exchequer. Is there in any legislative assembly in the world a man, as the world judges, of more transcendent capacity? I will say even, is there a man with a more honest wish to do good to the country in which he occupies such a conspicuous place? Take the right hon. Gentleman opposite, the leader of the Opposition—is there in any legislative assembly in the world, at this moment, a man leading an Opposition of more genius for his position, who has given in every way but one in which proof can be given that he is competent to the highest duties of the highest offices of the State? Well, but these men, great men whom we on this side and you on that side, to a large extent, admire and follow — fight for office, and the result is they sit alternately one on this side and one on that. But suppose it were possible for these men, with their intellects, with their far-reaching vision, to examine this question thoroughly, and to say for once, whether this leads to office and to the miserable notoriety that men call fame which springs from office, or not, "If it be possible, we will act with loyalty to the Sovereign and justice to the people, and if it be possible, we will make Ireland a strength and not a weakness to the British Empire." It is on account of this fighting with party, and for party, and for the gains which party gives, that there is so little result from the great intellect of such men as these. Like the captive Samson of old,

> "To grind in brazen fetters, under task,
> With their Heaven-gifted strength—"

and the country and the world gain little by those faculties which God has given them for the blessing of the country and the world. The Secretary of State, and the right hon. Gentleman opposite, even in stronger language, has referred to the unhappy fact that much of what now exists in Ireland has been brought there from the United States of America. That is not a fact for us to console ourselves with; it only adds to the gravity and the difficulty of this question. You may depend upon it that if the Irish in America, having left this country, settle there with so strong a hostility to us, they have had their reasons—and if being there with that feeling of affection for their native country which in all other cases in which we are not concerned we admire and reverence, they interfere in Ireland and stir up there the sedition that now exists, depend upon it there is in the condition of Ireland a state of things which greatly favours their attempts. There can be no continued fire without fuel, and all the Irish in America, and all the citizens of America, united together, with all their organization and all their vast resources, would not in England or in Scotland raise the very slightest flame of sedition or of insurrectionary movement. I want to know why they can do it in Ireland? Are you to say, as some people say in America and in Jamaica when speaking of the black man, that "Nothing can be made of the Irishman?" Everything can be made of him in every country but his own. When he has passed through the American school—I speak of him as a child, or in the second generation of the Irish emigrant in that country—he is as industrious, as frugal, as independent, as loyal, as good a citizen of the American republic, as any man born within the dominions of that Power. Why is it not so in Ireland? I have asked the question before, and I will ask it again—it is a pertinent question, and it demands an answer. Why is it that no Scotchman who leaves Scotland—and the Scotch have been taunted and ridiculed for being so fond of leaving their country for a better climate and a better soil—how comes it, I ask, that no Scotchman who emigrates to the United States, and no Englishman who plants himself there, cherishes the smallest hostility to the people, to the institutions or to the Government of his native country? Why does every Irishman who leaves his country and goes to the United States immediately settle himself down there, resolved to better his condition in life, but with a feeling of ineradicable hatred to the laws and institutions of the land of his birth? Is not that a fit question for statesmanship? If the Secretary of State, since his last measure was brought in, now eighteen years ago, had had time, in the multiplicity of his duties, to consider this question, possibly, instead of now moving for the suspension of the Habeas Corpus Act, he might have been rejoicing at the universal loyalty which prevailed, not throughout Great Britian only, but throughout the whole population of Ireland. I spent two autumns in Ireland in the years 1849 and 1852, and I recollect making a speech in this House not long afterwards, which some persons thought was not very wide of the mark. I recommended the Ministers of that time to take an opportunity to hold an Irish Session of the Imperial Parliament—to have no great questions discussed connected with the ordinary matters which are brought before us, but to keep Parliament to the consideration of this Irish question solely, and to deal with those great matters which are constant sources of complaint; and I said that a Session that was so devoted to such a blessed and holy work, would be a Session, if it were successful, that would stand forth in all our future history as one of the noblest which had ever passed in the annals of the Imperial Parliament. Now, Sir, a few days ago everybody in this House, with two or three exceptions, was taking an oath at that table. It is called the oath of allegiance. It is meant at once to express loyalty and to keep men loyal. I do not think it generally does bind men to loyalty, if they have not loyalty without it. I hold loyalty to consists, in a country like this, as much in doing justice to the people as in guarding the Crown—for I believe there is no guardianship of the Crown, in a country like this, where the Crown is not supposed to rest absolutely upon force, so safe as that of which we know more in our day probably than has been known in former periods of our history, when the occupant of the Throne is respected, admired, and loved by the general people. Now, how comes it that those great statesmen whom I have named, with all their Colleagues, some of them as eminent almost as their leaders, have never tried what they could do—have never shown their loyalty to the Crown by endeavouring to make the Queen as safe in the hearts of the people of Ireland as she is in the hearts of the people of England and of Scotland. Bear in mind that the Queen of England can do almost nothing in these matters. By our Constitution the Crown can take no direct part in them. The Crown cannot direct the policy of the Government—nay, the Crown cannot, without the consent of this House, even select its Ministers; therefore the Crown is helpless in this matter. And we have in this country a Queen, who, in all the civilized nations of the world is looked upon as a model of a Sovereign, and yet her name and fame are discredited and dishonoured by circumstances such as those which have twice during her reign called us together to agree to a proposition like that which is brought before us to-day. Now, there is an instructive anecdote to be found in the annals of the Chinese Empire. In a remote province there was an insurrection. The Emperor put down the insurrection, but he abased and humbled himself before his people, and said that if he had been guilty of neglect he acknowledged his guilt, and he humbled himself before those on whom he had brought the evil of an insurrection in one of his provinces. The Queen of these realms is not so responsible. She cannot thus humble herself; but I say that your statesmen for the last sixty —for the last forty—years are thus guilty, and they ought to humble themselves before the people of this country for their neglect. But I have heard from Members in this House—I have seen much writing in newspapers — and I have heard of speeches elsewhere, in which some of us, who advocate what we believe to be a great and high morality in public affairs, are charged with dislike to the institutions, and even disloyalty to the dynasty which rules in England. There can be nothing more offensive, nothing more unjust, nothing more utterly false. We who ask Parliament, in dealing with Ireland, to deal with it upon the unchangeable principles of justice, are the friends of the people, and the really loyal advisers and supporters of the Throne. All history teaches us that it is not in human nature that men should be content under any system of legislation, and of institutions such as exists in Ireland. You may pass this Bill, you may put the Home Secretary's 500 men into gaol—you may do all this, and suppress the conspiracy and put down the insurrection, but the moment it is suppressed there will still remain the germs of this malady, and from those germs will grow up as heretofore another crop of insurrection and another harvest of misfortune. And it may be that those who sit here eighteen years after this moment will find another Ministry and another Secretary of Ltate to propose to you another administration of the same ever-failing and ever-poisonous medicine. I say there is a mode of making Ireland loyal. I say that the Parliament of England having abolished the Parliament of Ireland is doubly bound to examine what that mode is, and, if it can discover it, to adopt it. I say that the Minister who occupies office in this country, merely that he may carry on the daily routine of Administration, who dares not grapple with this question, who dares not go into Opposition, and who will sit anywhere except where he can tell his mind freely to the House and the country, may have a high position in this country, but he is not a statesman, nor is he worthy of the name. Sir, I shall not oppose the proposition of the right hon. Gentleman. The circumstances, I presume, are such that the course which is about to be pursued is perhaps the only merciful course for Ireland. But I suppose it is not the intention of the Government, in the case of persons who are arrested, and against whom any just complaint can be made, to do anything more than that which the ordinary law permits, and that when men are brought to trial they will be brought to trial with all the fairness and all the advantages which the ordinary law gives. I should say what was most unjust to the Gentlemen sitting on that (the Treasury) Bench, if I said aught else than that I believe they are as honestly disposed to do right in this matter as I am and as I have ever been. I implore them, if they can, to shake off the trammels of doubt and fear with regard to this question, and to say something that may be soothing—something that may give hope to Ireland. I voted the other night with the hon. Member for Tralee (The O'Donoghue). We were in a very small minority. ["Hear, hear!"] Yes, I have often been in small minorities. The hon. Gentleman would have been content with a word of kindness and of sympathy, not for conspiracy, but for the people of Ireland. That word was not inserted in the Queen's Speech, and to-night the Home Secretary has made a speech urging the House to the course which, I presume, is about to be pursued; but he did not in that speech utter a single sentence with regard to a question which lies behind, and is greater and deeper than that which he discussed. I hope, Sir, that if Ministers feel themselves bound to take this course of suspending the common rights of personal freedom to a whole nation, at least they will not allow this debate to close without giving to us and to that nation some hope that before long measures will be considered and will be introduced which will tend to create the same loyalty in Ireland that exists in Great Britain. If every man outside the walls of this House who has the interest of the whole Empire at heart were to speak here, what would he say to this House? Let not one day elapse, let not another Session pass, until you have done something to wipe off this blot—for blot it is upon the reign of the Queen, and scandal it is to the civilization and to the justice of the people of this country.

Mr. ROEBUCK: The question, Sir, which rises in my mind after the speech of the hon. Gentleman who has just sat down (Mr. Bright) is, why that speech was made? Was it for the purpose of smoothing the difficulties in our way, or of conciliating Ireland? To my mind, Sir, the purpose was mere mischief. No one is more ready than I am to acknowledge that the reign of England over Ireland has been for centuries a reign of misrule, and I do not believe that centuries of misrule can be wiped out by a small number of years of good Government. Such I maintain to be the actual state of Ireland. I admit that for ages there has been misrule; but I assert, in the face of the hon. Member for Birmingham, that there has been for the last thirty years great and careful consideration bestowed by this House upon her interests, and that no appeal has been made to us in support of measures tending to her real welfare to which we have not listened. That being so, we have a speech like that of the hon. Gentleman complaining from beginning to end of the miseries of Ireland, urging that something must be done, while the hon. Member never puts his finger on a single grievance, and never points out a single measure which it is expedient that we should adopt. Sir, it is all very well to be an admirable declaimer—it is all very well in pathetic tones to lament over the miseries of Ireland; but in what, I would ask, do these miseries consist? I will, step by step, go through the present condition of that country, and compare it with that of England. First and foremost there has been in Ireland for the last twenty-five or thirty years as perfect personal liberty as in any other portion of Her Majesty's dominions. Property is defended in Ireland by the same safeguards as it is in England. Complete freedom is given there as here to every man in his intellect and his endeavour to make his way in the world. There is no restraint placed upon Irishmen which is not also imposed upon Englishmen. But then, Sir, the great grievance of Ireland is said to be the Irish Church Establishment. Now, I should like to know from the hon. Member for Birmingham whether he does not feel the maintenance of an Established Church here to be as great a grievance to himself and those who share his religious views as the Irish Church is to the Irish Roman Catholics? [Mr. Bright: Not at all.] Why not? The Dissenters in England claim to be more than half the population of the country. The endowments of the Irish Church were originally Roman Catholic endowments; so were the endowments of the Church of England. What, then, is the difference between the two Establishments? The Irish Church cannot, I contend, be the cause of the present state of Ireland, and I ask myself where that cause is to be found. I am about to say something that may give offence. At this moment the people of England are, I maintain, anxious to do justice to Ireland, and to provide for her good Government. They are met, in seeking to secure that object, by great difficulties. To whom, under those circumstances, ought they to apply for aid and advice? To the educated people of Ireland. Well, Sir, I heard a Gentleman sitting behind me (The O'Donoghue) say, on the first or second night of the Session, that he did not blame the Fenians. No; for I suppose he is in his heart a Fenian. And what is the course taken in this House by those Gentlemen who call themselves the Liberal Members for Ireland? Why, Sir, there is one eternal whine about the miseries of their country. "Something" they say "must be done"—using exactly the phraseology of the hon. Member for Birmingham; but when you come to ask what that something is no answer is returned. [*Cries of* "Tenant-right."] Why should we not, I should like to know, have tenant-right in England? Why is it that an Irish landed proprietor should be placed upon a different footing from the same class of men in this country? Nobody has given an answer to that question, and I should wish the next hon. Gentleman who treats us to a tirade about tenant-right in Ireland would let us have some explanation on that point. There is another point also on which I shall, with the permission of the House, say a few words—it relates to the Roman Catholic priesthood. The Roman Catholic clergy have, up to a very late period, preached sedition in Ireland. They have taught the Irish people to hate the English name. They find, however, that they have carried the thing a little too far, and that they have done a mischief which recoils upon themselves. Now, forsooth, they are wonderfully loyal; oh yes, Sir, loyal when danger knocks at their own doors, but for years they have been preaching sedition. ["No, no!"] I say "Yes." There is, I think, under all circumstances of the case, not very much difficulty in accounting for the present condition of Ireland. It has unfortunately been the fashion among a certain class of politicians to preach up what is called nationality ; but no great empire was ever made up of one nationality. That is done by the combination of nationalities, and he who seeks to propagate the contrary doctrine, and thus to dissever a nation, is not a statesman. England is made up of four nationalities—England, Wales, Scotland, and Ireland. Two of these—England and Scotland—are really amalgamated. I cannot say much for the amalgamation of the Welsh, while the Irish people have hitherto been taught that their connection with England has been a great injury to their country. Here, however, in the face of the world, I assert that Ireland, if left to herself, would afford such a spectacle of misery as mankind have never witnessed. Why, Sir, the power of England would not have been withdrawn a single hour, when within her own shores a civil war would break out. The north would rise against the south, and in my belief the north would put down the south. Ireland is great because of her connection with England. She is now well governed. I should like to have a specific answer—avoiding all lamentation and idle vapid declamation—to the question what more there is which we can do to promote her interest ? I want to see a programme laid down of measures which would be for her real benefit, and not to be treated to a lofty oratorical style of talking to the Treasury Bench, biding those who sit upon it to come down from their high places, and all that sort of thing. If such measures as those which I have indicated should be proposed, and the House of Commons should refuse to pass them, then, indeed, the representatives of Ireland would have good cause to complain. As regards the present Bill, I would simply say that the sooner it is passed the better. At the present moment, Ireland is not fit for self-Government. The Irish people have displayed that unfitness from the first hour they had the power to govern placed in their hands. It is a mistake to suppose, as Englishmen so generally believe, that the institutions which are good for our own country must be good for all the world. You may join together two peoples like those of England and Ireland, of totally dissimilar characters, but the union does not form a true alliance. Let Irishmen learn, as they ought to learn, through their educated classes, in what their happiness really consists, and how much it is promoted by the union with England. When they have done that, Sir, I, for one, shall have no apprehension of such declamation as that to which we have just listened.

MR. HORSMAN: Sir, I am so deeply sensible of the urgency so properly impressed upon us by the right hon. Gentleman the Secretary of State for the Home Department, and I am so sensible of the responsibility that rests upon every one of us, and of the duty of passing this measure rapidly through, that nothing but the great surprise—the astonishment—I felt at some of the statements of the hon. Member for Birmingham, and the regret which others caused, would have induced me to trespass for a moment upon the House. But as the hon. Member for Birmingham appealed to the Irish Members, because of the deep interest he takes in Irish affairs, I, another English Member, venture to address a few words to him as well as to them, not with the view of provoking, but, on the contrary, of allaying irritation. I, Sir, must express my surprise that the hon. Member for Birmingham, upon an occasion when it is admitted that time is so valuable, should have made that the occasion for provoking dissensions among us by raising a discussion upon Irish grievances. The Secretary of State has told us that the conspiracy in Ireland is formidable and extending, and he asks us to give the Government fresh powers to check it. How does the hon. Member for Birmingham assist the Government ? By delivering himself of a speech that he had prepared for the Motion of the hon. Member for Tralee (The O'Donoghue) the other night. I listened with the utmost attention to his speech, and from the beginning to the end I could not discover upon which side his sympathies were engaged—whether in favour of the Government that wishes to put down this conspiracy, or in favour of the conspirators. To be sure he did not say he was in favour of the conspiracy ; but he took very good care to say that he thought there was a great deal to justify it. He appealed to his previous speeches ; he said—

> "I do not justify conspiracy, but every year the people of Ireland are insulted by a dominant Church. I do not tell you rebellion is justifiable, but the country is cursed in the hands of cruel and rapacious landlords."

MR. BRIGHT: I rise to order. I have only to say that in the last two sentences of the hon. Gentleman there is not one word of mine. I presume that the hon. Member is delivering a speech that he prepared for the other occasion.

MR. HORSMAN: I appeal to the House whether the hon. Gentleman did not more than once refer to previous speeches that he has made in this House on the Church and Land questions, and if it was not upon those speeches, and upon the part which he took in reference to the Incumbered Estates Court, that he founded his claim to the gratitude of Irishmen. At any rate, the hon. Gentleman said that he would give the Government the benefit of his support. He said he would support them on the present occasion. [Mr. BRIGHT: No!] Then I am to take it that he will not support the Government. At any rate, though I do not know what amount of value they might have placed on his vote, I am certain of this—that the Fenian conspirators will place a great deal of value upon his speech, I am quite sure that that speech will be very valuable to them. Sir, that speech did not surprise me, for I know, from what has often taken place here that whenever English authority comes into any collision with foreign interests in any part of the world, the conclusion of the hon. Member for Birmingham has always been that England is in the wrong and the enemies of England always in the right. I do not deny the patriotism of the hon. Member; but it seems to be a patriotism of that kind so well described by Canning, in the *Anti-Jacobin* — and that he is one of those

"Patriots of the world alone,
And friends of every country but their own."

But what particularly made me rise was a phrase which the hon. Gentleman used, and which certainly did surprise me. He said that since Catholic emancipation, except the Incumbered Estates Act and the Poor Law Act, England had done nothing for Ireland. This means, in fact, that Ireland is still in the same state that it then was. And he told us, in the same breath, that he had been twenty-two years a Member of this House. Well, I have been here for that time also; and when he was referring to the state of Ireland with pain and humiliation, I could not help thinking that it should fill him with pain and humiliation to have made such a statement. No man who has sat in this House for so many years can fail to see the changes that have taken place in the state of things regarding Ireland. Let me then point out in a few words what was the state of Ireland at that time. No sooner did winter set in than we heard of bloodshed, outrage, and murder; of which every post brought such a catalogue that the atrocities only varied in degree. The Royal Speeches had constantly to refer to such outrages. Every Minister brought in a Coercion Bill or an Arms Act. The debates on Irish affairs took up more time than all the other affairs of the Empire together. The Irish Members sat aloof, as if there was still an imaginary Channel between them and the Scotch and English Members, and they thought they were disliked by the House. There was then an army in Ireland of 60,000, 80,000, or 100,000 men; and Ireland was at that time a constant source of menace and expense. Is not this changed now? How often do we now hear of murders in Ireland? Are they not the exception, not the rule? How long is it since the Queen's Speech referred to crimes and outrages in Ireland? How long is it since a Minister asked us for the suspension of law? How is Irish business now conducted in this House? Is it not as smoothly and as efficiently done as Scotch or English business? Whether you take a Scotch or English Member, is not their interest in matters which immediately refer to the county of Cork or Mayo as friendly and sincere as any they take in matters directly affecting their own country? What, again, is the army we now keep in Ireland, and how often does it come into collision with the people? And yet, after all, why are these grievances to be raked up against us to-day? They are the growth of bygone centuries, and you cannot expect that the grievances of centuries can be corrected in a day. Sir, when the Member for Birmingham reproaches the House of Commons for all this, I do not see how he is less to blame than those on whom he cast that blame. There have been during twenty-two years many beneficent measures passed; but I do not know that those who struggled for them received any great assistance from the hon. Member for Birmingham. On questions, indeed, connected with the land, when Philippics were to be uttered against the landlords of Ireland, the hon. Member was always to be seen in his place; but when sensation speeches were not to be delivered, I can testify that the hon. Member for Birmingham has generally been conspicuous from his absence. There have been occasions when beneficial measures were proposed, as to some of which he was negligent and as to others obstructive. He has referred, and the hon. and learned

Gentleman the Member for Sheffield (Mr. Roebuck) has also referred, to the state of the Irish priesthood, who, he says, possess—and from my knowledge of them I can say fully deserve—the veneration of their flocks. Now, one of the most important questions connected with this subject ever considered in this House is that of a State provision for the priesthood to whom the people are so much attached. I have always been, with many friends of mine, in favour of that State provision; but I have always found when the Member for Birmingham was present on these occasions he has gone into the lobby with the supporters of the "No Popery" cry, and voted on the side of illiberality and intolerance. [Mr. Bright: No!] I state positively what I know as a fact, and I challenge the hon. Gentleman to refute it. I have attended too long and closely to these Irish affairs, not to know the course which every prominent man has taken in regard to them, and when the late Sir Robert Peel brought forward that wise and provident measure for improving the position of the College of Maynooth, the hon. Member for Birmingham was one of his opponents. Does he deny it? He voted with the supporters of the "No Popery" cry. I can only repeat from my own knowledge that the hon. Member for Birmingham has been found in his place when grievances were to be alleged or agitation promoted, but I know of no occasion during the last twenty years in which the hon. Gentleman had originated a Motion himself for political improvement of that country. Approving as I do entirely of the course the Government has pursued, I cannot agree with one criticism made by the hon. Member for Buckinghamshire (Mr. Disraeli), who found fault with the Government for allowing the repeal last year of an obsolete law. Now, I hold they are not blamable for that. That law was existing in 1848; the Government then dared not avail themselves of it, and I believe the House would have been extremely astonished if they had now suspended the law in Ireland by means of that Act. I can only say, when the hon. Member for Birmingham appeals to the people of Ireland on account of his own services, I, looking back to what has taken place, cannot regard him as a benefactor in the past, or a safe guide in the future.

Mr. DILLON: Sir, the hon. Member for Birmingham (Mr. Bright) has this day delivered a speech which, notwithstanding the censures that have been pronounced upon it, I shall take leave to describe as one of the most generous, most true, and most noble utterances which it has ever been my fortune to listen to. The hon. Member required to make no apology to Ireland and to the Irish Members for intruding himself into this debate; and I can assure the hon. Gentleman that the speech he has delivered here to-day will increase that attachment which is universally and profoundly felt for him in my country; and I will say, that though he has been accused of entertaining a sympathy for, and of being a sort of patron of Fenians in this House, he is, on the contrary, a most formidable enemy not only of the Fenians, but of every species of Irish disaffection. It is with unaffected reluctance that I rise for the first time in this House to express sentiments which I know have not the sympathy of the overwhelming majority of the House, and to express my dissent from the proposal which has been made here to-day by the right hon. Gentleman the Secretary of State for the Home Department. My reluctance to oppose the measure is mainly due to the indications on the part of the present Government of a better feeling towards Ireland than has characterized the counsels of former Administrations. I entertain no constitutional scruples on this matter. I am one of those who think that a good Government ought to be cheerfully armed by those who have the happiness to live under it with every power that may be necessary for its preservation. I have no sympathy with Fenianism, and those who have had an occasion to investigate the transactions and the peculiar literature of that movement must know very well that I am one of the most prominent objects of the hostility of its leaders. I believe I was the only candidate at the last general election in Ireland that had to encounter the organized opposition of the Fenians. But I did encounter it on the hustings; and I appeal to my hon. Colleague the Member for Tipperary (Mr. Moore), who is himself not a Fenian, whether I did not so meet that opposition, whether I did not defy it, and conquer it. The facility with which I overcame it in one of its reputed strongholds has always made me sceptical of the force which has been popularly attributed to this movement. The right hon. Gentleman the Member for Buckinghamshire, the leader of the Opposition, says he will support the Bill in the belief that the Fenian movement has no connection with the grievances of Ireland. Now, I know that that is true in one sense—namely, that whatever this House might do would not satisfy the leaders of that movement; but then, on the other hand, I know that whatever force there may be in Fenianism for mischief, that force is derived from the general disaffection of the Irish people arising from the misgovernment of the country. Nothing but the strong and deep-seated conviction that Ireland has been sadly misgoverned, and that to the misgovernment of Ireland the disturbances that exist in that country are attributable, could justify in my own conscience my opposition to this Bill. A good Government is one of the greatest blessings any country can enjoy, and in proportion to its value would be the wickedness of any attempt to overthrow it, and in the same proportion ought to be the zeal of every good citizen in coming to its defence. But in Ireland we have not had good government; and although the hon. and learned Member for Sheffield has challenged a detailed statement of Irish grievances, I consider it would be out of place to enter into such a statement on this occasion; but I must say that the Irish people feel bitterly that the laws which are made by the Imperial Parliament have been generally made in the interests of a class and against the people. They all, no doubt, felt, as the hon. and learned Gentleman had said, that property has been amply secured in Ireland; but they felt, on the other hand, that the rights of labour had been left to take care of themselves, and after all it was on the rights of industry and labour that the rights of property ultimately rested. I will do no more than refer to the ecclesiastical institutions with which we are blessed in Ireland, and I will put it to the country and the House, if such institutions existed in any other country under the sun under the same circumstances, whether the universal voice of the English public would not pronounce them to be a sufficient justification not merely for discontent, but insurrection. But it may be said that this is not a time for raising such a question; that the question which presses for an answer now is how the Fenian conspiracy in Ireland, which is directed against the Government, against property, and against religion, is to be put down? But the House ought to remember, as the hon. Member for Birmingham had said, that this question as to how Irish disaffection was to be dealt with is not now for the first time pressing for an answer. It will be in the recollection of many hon. Members that for some ten years immediately preceding the appearance of this Fenian conspiracy, Ireland was in a state of the most perfect repose, and it was a subject of universal congratulation in the English press that Ireland had forgotten her grievances, had ceased to complain, had turned her attention to the pursuits of industry, and had become one of the most loyal portions of Her Majesty's dominions. I want to know in what state Ireland must be before she is fit to receive her full measure of justice at the hands of the Imperial Parliament. If she is silent and there is an absence of complaint, then the inference is that she has no grievance to complain of. On the other hand, if she is turbulent and seditious, then it is said that it would not be compatible with the dignity of the Imperial Government to make any concession under such circumstances. It seems to me that the only appropriate time for doing justice is always the present hour; and until the Government of this country give some specific assurance that they mean to do justice to Ireland I, for one, cannot aid them in any effort to quell the discontent and disaffection which have been caused by the denial of justice. I thank the hon. Member for Birmingham for his manly expression of sentiment this day, and can only regret that so little justice should be done to a man to whom English industry is so much indebted. Discontent and disaffection are not always unmixed evils. To disaffection England is indebted for the great Reform Bill, and the career of the hon. Member for Birmingham is some proof that popular discontent sometimes works good; for if the hon. Member had not exerted himself to excite popular discontent the industry of England might still be suffering under the burden of the Corn Laws. Popular discontent does this service to society, that it renders the infliction of wrong troublesome and sometimes very costly; and those who were either active in the infliction of wrong, or acquiesced in its infliction, had little right to claim aid in their efforts to evade the natural and just consequence of their own misconduct. For this reason I venture to protest against the measure which is now before the House, but in doing so I entirely repudiate any desire to offer a factious opposition to it.

MR. J. STUART MILL said, that some asperity had been introduced into this discussion which he should not imitate. The occasion was one for deep grief, not for irritation. He agreed with the hon. Member for Birmingham (Mr. Bright) that this Bill was a cause for shame and humiliation to this country. We were present at the collapsing of a great delusion. England had for a considerable number of years been flattering itself that the Irish people had come to their senses; that they were now sensible that they had got Catholic Emancipation and the Incumbered Estates Bill, which were the only things they could possibly want; and had become aware that a nation could not have anything to complain of when it was under such beneficent rulers as us, who, if we do but little for them, would so gladly do much if we only knew how. We all knew that in times past England had been unjust to Ireland. Of that national sin this nation had repented; and we were not now conscious of any other feelings towards Ireland than those which were perfectly honest and benevolent, and he did not say this of one party, or of one side of the House only, he said it of all. But we had fallen into the mistake of thinking that good intentions were enough. We had been in the habit of saying pleasant things on this subject in the hearing of foreigners, till, from iteration, foreigners were beginning to believe that Ireland was no longer our weak point —England's vulnerable spot — the portion of our territory where we might perhaps be successfully assailed, and which, in any case, by neutralizing a great portion of our available force, disabled us from doing anything to resist any iniquity which it might be sought to perpetrate in Europe. This pleasing delusion was now at an end. Every foreigner, every continental writer, would believe for many years to come that Ireland was a country constantly on the brink of revolution, held down by an alien nationality, and kept in subjection by brute force. ["No, no!"] He did not mean that he shared that opinion; he disclaimed it. He hardly knew to what to compare the position of England towards Ireland, but some illustration of his meaning might be drawn from the practice of flogging. Flogging in some few cases was probably a necessary abomination, because there were some men and boys whom long persistence in evil had so brutalized and perverted that no other punishment had any chance of doing them good. But when any man in authority—whether he was the captain of a ship or the commander of a regiment, or the master of a school, needed the instrument of flogging to maintain his authority—that man deserved flogging as much as any of those who were flogged by his orders. He was not prepared to vote against granting to Her Majesty's Government the powers which, in the state to which Ireland had been brought, they declared to be absolutely necessary. He was not responsible—they were. They did not bring Ireland into its present state—they found it so, through the misgovernment of centuries and the neglect of half a century. He did not agree with his hon. Friend the Member for Birmingham in thinking that Her Majesty's Ministers, if they could not devise some remedy for the evils of Ireland, were bound to leave their seats on the Treasury Bench and devote themselves to learning statesmanship. From whom were they to learn it? From the Gentlemen opposite, who would be their successors, and who, if they were to propose anything which his hon. Friend or himself would consider as remedies for Irish evils, would not allow them to pass it? The Government had to deal with things as they were, and not with things as they might wish them to be. He did not believe that the power granted to the Government would be strained beyond the necessity of the case. He would not suggest a suspicion that tyranny and oppression would be practised. He knew there would be nothing of the kind, at least with their cognizance or connivance. He was not afraid that they would make a Jamaica in Ireland; and, to say truth, the fountains of his indignation had been so drained by what had taken place in that unfortunate island that he had none left for so comparatively small a matter as arbitrary imprisonment. When, however, the immediate end had been effected, he hoped that we should not again go to sleep for fifty years, and that we should not continue to meet every proposal for the benefit of Ireland with that eternal "*non possumus*" which, translated into English, meant, "We don't do it in England." If his hon. and learned Friend the Member for Sheffield thought that nothing was now amiss in Ireland except the Irish Church, he would be likely to hear much more on the subject before long, if he would only listen.

MR. MOORE: I can speak of my own knowledge that my hon. Friend has no Fenian sympathies. We travelled together through Ireland, and we saw a good deal last autumn. He met with opposition in all directions from that party. The hon. and learned Member for Sheffield has taunted the hon. Member for Birmingham, and those who advocate the cause of Ireland, with not having suggested what the measures are which ought to be taken for restoring peace and prosperity to that part of the Empire. In reply, I will say, that the measures most required have reference to the land question, which is the question that most deeply affects the industry of the country, and to the abolition of the supremacy of the Established Church. These are the real measures to bring back peace and restore order to the country.

Mr. CONOLLY, speaking for all those who were interested in authority, property, and religion in Ireland, declared that they were prepared as one man to give their full support to the Government in the powers they now asked for. If, at the recent great meeting held in Dublin, they did not call for the measure now under consideration, it was because they knew the day was not far distant when such a request would be made. The only reason why they did not call upon the Lord Lieutenant to exercise his authority at that time was, that they had complete confidence in the sagacity and in the readiness of the noble Lord to adopt such measures as were necessary for the security of Ireland. If this question had been considered one of importance on previous occasions, every time it came before the House its importance was increased. Up to a recent period, the wise measures which Parliament had passed had produced signs of revival and improvement in Ireland; but these had been interfered with by the Fenian movement, which from his visit to America he had no hesitation in declaring to be of foreign origin. One of the consequences of the cessation of the war in America had been that a number of restless spirits had been thrown into idleness and inaction, and the result had been what might have been anticipated. The ancient policy of the country had been galvanized by the American war, and had taken the form of rebellion. It was the material Crown of this country that was aimed at, and to dissever Ireland from the English rule. But the policy adopted in the present Motion was an antiquated and obsolete policy, and was not the policy which had been inaugurated for the last twenty years. However, it was absolutely necessary that they should endeavour, by all the support they could give to Her Majesty's Government, to put down what was in all its aspects a wicked and most mischievous thing.

Sir JOHN GRAY said, he was certain that if the hon. Member for Birmingham (Mr. Bright) had said anything in his speech that was calculated to produce mischief, the House would feel that he owed a most ample apology to the hon. and learned Member for Sheffield for having intruded upon his special domain. He did not expect when he came into the House that day that he would hear any Fenian speeches; but he regretted to say that he had heard from the hon. and learned Member for Sheffield one of the strongest Fenian speeches it was ever his misfortune to have listened to. He (Sir John Gray) had no sympathy with Fenianism, and no sympathy with the members of that wicked and foolish conspiracy. From his personal knowledge of the means proposed to be used by the Fenian conspirators, he could not say with his hon. Friend the Member for Cork (Mr. Maguire) that there was much either of virtue or of honour connected with the movement, in fact or in sympathy. He regarded the Fenians, judging of them by their own avowal, as men who were banded together for the purpose of assailing property of every kind. ["No, no!"] Some Gentlemen might say "No, no!" but he (Sir John Gray) spoke from facts within his own knowledge, and he repeated that it was avowed by these men that a general assault upon the persons and property of either priest or layman who opposed them was not only legitimate but laudable. The Fenians had honoured him by associating him in an indictment with the Archbishop of Dublin, for having given publicity to the opinions of the Archbishop, warning his flock against the criminal designs of those men, which he said were based on a desire to upset the rights of property, and even to deal summarily with the lives of all who differed from them or opposed themselves to their projects. He was charged with being a co-conspirator, to use the legal phrase, with the Archbishop of Dublin, for the purpose of preventing the Fenians from getting a fair trial in their own country, and he had to defend himself in the law courts of the country against that charge. In doing this he had to go carefully into the whole of their proceedings, read all their documents and proclamations, and from the knowledge he thus acquired he would not hesitate to pledge himself to the veracity of the statement that the property and life of all laymen and clergymen who opposed them were distinctly pointed out as proper objects for Fenian assault in Ireland. He had not intended to intrude on the House that day, but having heard the mischievous and unwarranted attack of the hon. and learned Member for Sheffield on the Catholic clergy as a body, he felt justified in asking the House was it not true that the whole of the Catholic episcopal body in Ireland, and that every dignitary of the Catholic Church, every priest even of that faith, had joined in denouncing these objects, and had laudably exerted their influence in warning their people against being identified with these destructive projects. That being so, he was, he submitted, justified in saying that a more mischievous or a more Fenian speech could not have been uttered than that in which the hon. and learned Member for Sheffield assailed the Catholic clergy ; nor could a more unfounded charge be made than that of accusing them of being the abettors of sedition and sympathizers of the Fenian movement. He asked the House to bear in mind that in the rebellion of '98 the Catholic clergy were the active friends of order. In the attempted revolution of 1848, the leaders of which were men of intellect and generous impulses, the Catholic clergy had been conspicuous in restraining their flocks from joining in the insurrectionary movement (organized by the Presbyterian revolutionists of Ulster). [" No, no ! "] Hon. Gentlemen who thought that no good could come from a Catholic ecclesiastic or any person of the Catholic party might say "No, no !" but it would be remembered that the Catholic clergy were assailed by many of the leaders of the '48 party, and that the failure of that movement was attributed by these leaders to their opposition. In America and in Canada some of the Catholic clergy were doomed by exiles as the great obstacles to their success. He asked those who heard unprovoked attack, to deal with the facts of the case under the consideration of the House, and say to whom did they owe most for the preservation of peace and the preventing a Fenian outbreak in Ireland. Was it not to the Catholic clergy? And he would ask what would be thought by the Irish people when they read the speech of the hon. and learned Gentleman who once was recognized in that country, and in this House, as a leader of the Liberal party, but who, descending from his former elevated position, had no better occupation than that of vituperating. When a man of the transcendant ability of the hon. Member for Birmingham, who stood up in that House to demand in the name of England and her Liberal constituencies that Ireland be governed on just and equitable principles, to endorse the eulogium on the conduct of the Catholic clergy pronounced by the Secretary of State for the Home Department, what would the people of Ireland say on hearing that a gentleman who once called himself a Member of the Liberal party had vituperated that man for pleading for Ireland, and had assailed the Catholic clergy—the loyal men who stood by the Government of the country and the peace of the country, and who endeavoured to prevent this attempted revolution getting to the position in which it now is. While the Government asked for these extraordinary powers, he hoped they would at the same time give an assurance to the people, who are loyal and steady and refuse to be identified with revolutionary projects, that they intend to put an end to the causes which had led many to sympathize with the present movement, and to palliate conduct which they could not approve. The true way and the only way permanently to crush these insurrectionary movements was to do justice to the country and thus destroy the trade of revolutionists. The friends of peace expect a promise to that effect from the Government. The hon. and learned Member for Sheffield said the country had nothing to complain of. But was it nothing that during sixty years of British Parliamentary rule there had been sustained in Ireland an ascendancy of the most cruel, obstinate, and galling character ? Was it nothing that the whole ecclesiastical revenues of the country were absorbed by a small minority of the people—a minority who could look back on nothing they had ever done for the country, and who had done everything ingenuity could devise to increase the natural feeling of discontent and disappointment entertained by the masses of the people at their being ruled by men who, though living amongst them, treated them as a conquered race, with whom they could have no sympathy? [" No, no! "] He repeated that they were ruled by an ascendancy class who resided amongst them as conquerors, and who had no sympathy with them.

SIR PERCY BURRELL rose to Order.

MR. SPEAKER said, the hon. Member for Kilkenny was in order.

Sir JOHN GRAY said, he was obliged to the hon. Gentleman who had called him to order, because the rebuke their hon. Speaker had administered to that hon. Gentleman showed that he it was who was transgressing the rules of order and debate. He would, therefore, again venture to repeat that those who ruled in Ireland as a hostile though resident ascendancy over the masses of the people of Ireland, and those who had grasped to themselves nearly all the places of power, of authority, and emolument, including the ecclesiastical property of the people, had no sympathy with the masses of the Irish population, and were the real promoters of disaffection. When the proceedings of that House were made known in Ireland he regretted to say it would be seen that when an English representative of transcendant power and ability pleaded in this House for justice to the Irish race and nation, with an eloquence that was as much to be admired as was the broad statesmanship that inspired it, there were to be found Members calling themselves Liberal who delighted in pouring out upon that great and gifted man their invectives, and in assailing him for no other offence than that of asking that the Irish people be ruled with justice and with equity.

The O'DONOGHUE begged to thank his hon. Friend the Member for Birmingham (Mr. Bright) for the speech which he had delivered to-day—a speech which, he was certain, if acted upon would be a serious blow to Fenianism, and which he was happy to think justified the efforts he had frequently made to induce his countrymen not to despair, and to convince them that they might yet expect justice from Parliament and the English people. The line of argument taken by the hon. and learned Member for Sheffield (Mr. Roebuck) was no doubt very satisfactory to himself, for it simply consisted in saying what his opinion was, and that he did not care who differed from him. The hon. and learned Gentleman's reasoning did not, however, appear to him to be very forcible or logical. He simply asserted that there were no causes of disaffection; but when he found these who ought to know something about the state of Ireland—the people of Ireland—saying that there were causes of disaffection, he attached no importance whatever to the bare assertion of the hon. and learned Member for Sheffield. In anything he (The O'Donoghue) might say, he wished it to be understood that he was not influenced in the slightest degree by what the Fenians wanted or what they might do. What he asked for might not satisfy them; but if what he asked for was conceded—if the Government were willing to inquire into the causes of the disaffection with a view to their removal, and promised to adopt such a course, what the Fenians might think, and what they might do, would be of no importance whatever. He was convinced, however, that robbery and murder were not the motives of the organizers of the movement. He attached no weight to that allegation, because he knew that similar charges had been made against all those who at any time had endeavoured to bring about a national movement in Ireland. They were made against O'Connell, and they were made—if he might be allowed to say so—against the hon. Member for Kilkenny (Sir John Gray) himself, when he was a distinguished inmate of Richmond Bridewell. Statements of that kind were no doubt useful in throwing discredit on the movement, but he maintained that when those statements were without foundation, it was discreditable to those who used them. If the House was inclined to support Her Majesty's Government in their determination to invest with despotic power the nervous and bewildered officials of Dublin Castle, it was quite evident that no opposition which he could offer could be of any avail; but although he was most unwilling to do anything factious or to occupy at any length the time of the House, when to do so would be utterly useless, he could not forget his right nor neglect the duty of declaring that coercion was not what Ireland required—that it would create a panic and intensify disaffection; and that the ordinary constitutional powers at the disposal of the Government, if placed in the hands of men of nerve and judgment, would be amply sufficient to meet any emergency that could arise. When the right hon. Gentleman the Secretary of State for the Home Department on the previous evening told them he was about to give notice of a Motion which concerned Ireland, he was reminded of the speech of the hon. Gentleman who seconded the Address in answer to the Speech from the Throne; but when the right hon. Gentleman rose, and without a single explanatory observation, but in a manner which certainly did not seem to correspond with the gravity or the awful nature of the announcement he was about to make, let the House know that the measure which Her Majesty's Government had in store for Ireland was the suspension of the Habeas Corpus Act—that was, the suspension of the Constitution and the placing of the life and liberty of every man ["No!"]—well, the placing of the liberty of every man in Ireland for the next six months at the disposal of an authority whose vacillating conduct would be simply ridiculous, if it were not dangerous—it became the duty of those who represented the Irish people to vote against such a proposal. He had watched the effect on the House of the announcement of the right hon. Gentleman, and he was happy to say that the impression produced upon him by the demeanour of the House was, that there were few in that Assembly who would not willingly lay down the arm of coercion; and although, no doubt, there was the determination to maintain order, there was, notwithstanding, an undercurrent of strong feeling, that if the conduct of the Government had been otherwise than it had been—not during the last few months, not during the last year, but during the last three or four years—these measures of coercion would have been absolutely unnecessary. He saw in the leading journal that the notice given by the right hon. Gentleman had been received with cheers. He had looked to the quarter from which those cheers came, and he saw they came from the representatives or deluders of the small Orange party of Ulster, who looked upon it that the greatest blessing the Government could bestow on Ireland would be to suspend the Constitution, not for six months, but for ever. In his speech of that day the Home Secretary had given them no new information whatever; he had told them nothing which would not have justified the suspension of the Habeas Corpus Act six months ago, and which would not equally justify its perpetual suspension. The right hon. Gentleman read letters and proclamations from Mr. Stephens, and he informed them that Mr. Stephens announced that the flag of the Irish republic was to be raised in the year in which he was writing, which was the year 1865. But that prediction had been falsified, and he had no hesitation in saying that all the other predictions made in the same quarter would also be falsified; while he was perfectly certain that no one would rejoice more at the course taken that day than Mr. Stephens. It would give an importance to the movement which otherwise it never would have obtained. Would not those Irishmen in America who had been so grossly deceived and deluded by the statements of Mr. Stephens, would they not say, "We must subscribe; we must get our ships and go over?" As the British Government were obliged to suspend the Constitution, and do what so many of the English had assailed the American Government for doing when hundreds of thousands of armed men were in the field, Irishmen in America would come to the conclusion that the movement must have attained really formidable proportions. He could not help feeling supprised at the new light which appeared to have dawned upon the Government in that matter, and no one certainly could have supposed from the Queen's Speech or the address of the Chancellor of the Exchequer during the first week of the Session that such a measure was in contemplation. He believed that since the Habeas Corpus Act had been passed in 1679 it had been suspended only four times, and, in Ireland, such a step must be regarded as one of a very momentous character. The proceedings of the Government on the present occasion differed from past preceedings in this respect, that formerly the suspension of the Habeas Corpus Act preceded instead of following the Special Commission. And how, after the language used by the right hon. the Attorney General for Ireland at the close of that Special Commission, when he and the Judges and the sheriff, and the other officials were interchanging compliments with each other, he could now advise the Government that grounds existed for suspending the Habeas Corpus Act, he was at a loss to discover. He could only account for it by supposing that it formed part of that vacillation of purpose which had distinguished every Member of the Irish Executive, from the noble Lord the Lord Lieutenant down to the hon. and learned Gentleman the Solicitor General. In September last his Excellency the Lord Lieutenant went to Tipperary, and, in a speech made at a cattle show there, said that Ireland never was so contented; and so rejoiced was his Excellency at this prospect of general contentment that he declared that the proclamation which for twenty years had rested on the county Tipperary should be immediately removed. In this fit of generous enthusiasm the Lord Lieutenant removed the proclamation; but unfortunately it was replaced the very next week. The Lord Lieutenant and his advisers resembled a political pendulum, and from their acts it was impossible to tell what the state of the country really was. He had no doubt that stories of the most alarming description reached the Government. A short time ago a reverend friend called upon him early in the morning, and asked could he speak to him for a few moments. He replied "Certainly." "Well," said his friend, "I have just come from So-and-so."—alluding to a gentleman who occupied an important official position in Dublin, and whose name he was prepared to give in confidence to any hon. Member—"and he has told me most positively that next Sunday is to be the rising." His friend asserted his firm belief in the accuracy of the information he had received; and, being asked what advice he would offer under the circumstances, said, "Well, perhaps it would be as well if you left the country." So little importance, however, did he attach to this piece of information, although undoubtedly well meant, that it was not until after dinner on Sunday that he recollected that was to have been the day of the rising. The right hon. Gentlemen the Attorney General and the Solicitor General, if they thought proper to do so, could tell the House some stories of the same complexion, which, no doubt, would be very amusing, in justification of their advice to the Government to suspend the Habeas Corpus Act, and thereby deprive the people of Ireland of those constitutional privileges so justly prized by every subject. The language which the Irish Attorney General used at the close of the Special Commission was as follows:—

> "I think it very important to observe, for the information of the public, that every single individual connected with *The Irish People* newspaper and every person whose name has appeared as a leader in the voluminous correspondence of James Stephens and others, has been brought before this Court during its sittings—every single individual of mark, except one or two who fled the country, has been made amenable to justice. Therefore, I may safely affirm that all the leaders of this conspiracy have been now convicted; and, my lords, with respect to the mere rank and file, the Crown has no desire to pursue them if they are disposed to return to that allegiance which they should never have abandoned. One person, James Stephens, escaped by treachery which no care, perhaps, could anticipate, and certainly could not have foreseen; he has not been made amenable. He is a fugitive from justice; but every one of the persons whom he trusted and selected to be leaders in the intended insurrection—every one of those persons has been captured and brought to justice. That certainly is a result with which the Crown ought to be satisfied, and which, I hope, will produce its due effect on the people."

After the lapse of so very short an interval, the right hon. and learned Gentleman now recommended the suspension of the Habeas Corpus Act. He would only add that the proceedings of the Irish Government reminded him of what occurred on the morning after the escape of Stephens. A second edition of the Government organ came out, in which the public received the startling but consolatory information that the right hon. and learned Gentleman the Attorney General, the Castle adviser, and the Inspector of Prisons had gone up to Richmond Bridewell, and were holding an investigation with closed doors.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the House in general, and my Colleagues with myself in particular, have been anxious to hear on this critical question the sentiments of representatives from Ireland. But as I did not perceive that any one of those Gentlemen rose to address the House after the hon. Gentleman who has just sat down, and as promptitude is of the utmost importance, I have thought it right to make an appeal to the House to consider whether we should not endeavour at once to carry this matter to an issue. I begin by referring to the speech of the right hon. Gentleman the Member for Buckinghamshire, and will, in the first instance, allude to the less important parts of his speech. The right hon. Gentleman, referring in the exercise of his undoubted liberty to the previous conduct of the Government, said, that on former occasions, or on a former occasion, he thought they might have been chargeable with delay, hesitation, and want of prescience and energy. No one, I hope, will suppose that I complain of the right hon. Gentleman for having chosen this occasion to mention that charge against the Government; it was an occasion purely germane, I think, and suitable for any objection of that nature. At a time when we are performing the irksome and painful duty of asking Parliament for powers beyond the practice and foreign to the spirit of the Constitution the right hon. Gentleman was well entitled to say, "Had you at a former period been more careful of the powers which the law already gave you, you need not have placed Parliament in the painful position it occupies to-day; you need not have called on us to make this choice between endangering the peace of Ireland and the security of loyal subjects on the one hand, and interfering with the regular course of law and abridging the privileges of liberty on the other." But admitting entirely the relevancy of the charge, I hope it will be thought right that I should state in a few words the answer of the Government. The Act to which the right hon. Gentleman referred is an Act 50 *Geo* III., entitled—

> "An Act for more effectually preventing the administering and taking of unlawful oaths in Ireland, and for the protection of magistrates and witnesses in criminal cases."

The seventh section of that Act provides that any stranger sojourning or wandering in Ireland may be brought before any justice of the peace in Ireland and there examined. We are well convinced that this Act was prepared with an aim and purpose wholly different from that which we now have in view. So far as this section is concerned, it is plain that the legislation had reference to aliens as distinguished from native born subjects, a style of legislation much in vogue at the time when this Act was passed, but which has now disappeared from our statute-book. And we should not, I think, have been justified, even supposing that Act were in existence, in availing ourselves of an accidental power intended for a different purpose, and in using it to enable us to depart from the regular practice and from the known spirit of the Constitution. But I have this second answer, which I think the right hon. Gentleman himself would admit to be conclusive. I have said that the section authorizes the arrest of any strangers sojourning or wandering, and their examination respecting place of abode, place from which they come, means of livelihood, and their objects or motives in remaining or coming into the county, city, or town in which they may be found. Let the right hon. Gentleman consider who are the persons—foreigners, indeed, to this country, but yet connected with Ireland by birth—who are the persons that we have at this moment principally in view? They are the very class of persons who would at once say, when challenged before the magistrate, "We are not here as vagrants or vagabonds; we are not here for any doubtful purpose; we are emigrants from Ireland who have returned to see the friends and relatives that we left behind when we went away, and it is cruel that we should be brought before a legal tribunal because, on this occasion, we have been found among them." But how does the section proceed? It goes on to say—

> "And unless he or she shall answer to the satisfaction of such magistrate, or produce sufficient security for his or her good behaviour, he shall be then detained."

The meaning of these words of course is this, that the charge on which these parties would be brought before the magistrate would be a bailable charge; and the whole question of finding bail merely means whether he has or has not money enough to induce parties to become security without risk to themselves. Whatever may be said of Fenianism no one pretends that it is wanting in funds for its support. And had it been in the power of the Law Advisers to recommend proceedings under that section, the ridiculous process would have been gone through of taking up persons who would have no difficulty whatever in getting themselves admitted to bail, and the matter therefore would have resulted in an entire frustration of the proceedings of the Government. I trust I have shown sufficient cause for the conduct of the Government last year; and I need not therefore take shelter under the fact, which I admit would not be a shelter, of the repeal of this clause. That repeal was proposed—and I give him credit for it—by my hon. Friend, an independent Member of this House, now sitting near me: and the Bill was passed through the House of Lords, not by Her Majesty's Government, but at the instance of the Earl of Donoughmore, a distinguished Member of the Opposition. Now, that would be no excuse to us if the measure had been unwise, but it is a most important testimony that the repeal was wise, though the right hon. Gentleman has, perhaps, somewhat hastily alleged that our conduct savoured of delay and want of precision and energy. Well, Sir, I pass from that less significant portion of the speech of the right hon. Gentleman to the speech of my hon. Friend the Member for Birmingham, and I must in justice say that I can hardly remember an occasion on which my hon. Friend has exercised his extraordinary powers with greater force. I must freely admit that the exercise of those powers, great as they are, derived additional impressiveness from the evident, the undeniable, and the transparent sincerity of the speaker. Sir, having made that admission, or rather, having tendered the tribute to my hon. Friend which truth demanded, I do not scruple to add that I listened to the speech of my hon. Friend with regret and with pain. It was a speech, I admit, containing many truths; but it was also a speech containing many propositions of which it may be said that some were not true, that many were open to question, and that most were out of place on the present occasion. A wise man has said that everything is good in its time, and the converse of this proposition will also hold—that nothing is good that is out of its time. But there were two statements contained in parts of that remarkable speech, and suggested by it all along, to which alone I shall make particular reference. My hon. Friend stated that in this matter we are dealing coercively with the Irish people; and he appeared to believe—indeed, he distinctly said—that the numerical majority of that people, if left to themselves, and if it were physically possible, would unmoor the island from its fastenings in the deep, and convey it at least 2,000 miles westward. Now, Sir, I think there is no fallacy which can be propagated in connection with the present subject more dangerous in its character than the supposition that the proceeding in which we are now engaged is an appeal to a simply or substantially English Parliament to apply the hand of force to Ireland. Her Majesty on this occasion makes an undoubted and unhesitating appeal to the well-tried loyalty of her faithful Commons in the Parliament of the United Kingdom, and that Parliament as it is English, as it is Scotch, so also is it Irish. The Irish portion of the Parliament is not less freely elected than the English and Scotch portions. It is elected by the voices of the people of Ireland; and, for my part, I decline to recognize the voice of that people, or to accept any interpretation of their real feelings and opinions, other than that which is conveyed through the mouths of its representatives lawfully chosen to sit in this House. Well, then, what has been the voice of the representatives of Ireland on the present occasion? Have they come forward to protest against the measures that we propose? My hon. Friend the Member for Birmingham—let me again do him that full justice—and my hon. Friend the Member for Westminster (Mr. Stuart Mill) have avowed, though reluctantly and with hesitation, that they approve, under the circumstances, of the proposal we have made, and that at least they will not take the responsibility of resisting that proposal. Then we have heard Members representing popular constituencies in Ireland—Members sympathizing with every sentiment which exists in the popular mind, and having close associations with the religious teachers of the great majority of the Irish people—they have spoken unchecked and uncontradicted by their companions, and they have advised the House to pass this measure, and given decisive support to the proposal of my right hon. Friend. ["Name!"] I would instance the hon. Gentleman the Member for Kilkenny (Sir John Gray), and I do not understand either the hon. Member for Tralee (The O'Donoghue), or the hon. Member for Tipperary (Mr. Dillon), to mean that they raise their voice in defence of Fenianism. Indeed, the hon. Member for Tipperary emphatically condemned it, while the hon. Member for Tralee founded his objection to the Bill, not on the proposition that Fenianism was a movement which it was not our duty to repress, but simply that to upset the ordinary course of law would defeat the end which we have in view. [The O'DONOGHUE: I said it was unnecessary.] Just so—that it was unnecessary. Therefore, we have the unanimous consent of the House expressed to this effect, and expressed by every Member who comes from Ireland, that this conspiracy deserves the disapproval and the condemnation which have already been bestowed upon it by every one who can claim to represent either the property, the morality, or the religion of the country. That, of course, amounts in principle to approbation of the measure which the Government have proposed to-day. And on the part of the Government, I must express our gratitude to the right hon. Gentleman who preceded me in this debate, and to the House generally—gratitude entirely unqualified by any remarks which have been made during the discussion—for the manner in which it has thought fit to receive our proposal. I believe that hon. Members have given us credit for not having lightly, wantonly, or needlessly made a proposal and submitted a measure of a character so grave and, at first sight, so objectionable in the eyes of all those who understand the spirit and who love the action of our Constitution. We have delayed it up to the last moment. The hon. Gentleman the member for Tralee (The O'Donoghue) says that neither the Speech from the Throne nor the debate which ensued upon it in this House gave the slightest intimation that such a measure was intended. But the reason is obvious. Such a measure was not at that time intended. The subject of Fenianism was mentioned, indeed, in the Speech from the Throne; but, although it had been mentioned, the emergency was not at that time of that grave character which alone would have justified us in taking any extreme step in regard to it; and I am confident that the hon. Gentleman himself will agree with me that it would have been a breach of our duty if, under those circumstances, we had caused unnecessary alarm and other grave inconveniences by adopting such a course. We have endeavoured to ascertain fully the necessity for this measure before submitting it to the House, and we have also endeavoured to limit the time of its action, so that at a very early period we may be again compelled, if we feel that its prolongation is necessary, to submit the question to the mature judgment of Parliament, ripened and strengthened by the observation which the interval will have afforded. We have endeavoured to exhaust, before resorting to this measure, all the means afforded by the ordinary law. After what has already been said on the subject, I will pass over that portion of the speech of the hon. Gentleman, with reference to which I could only repeat what has been so convincingly stated by my right hon. Friend (Sir George Grey), as to the condition of affairs in Ireland which leads us to believe that this measure is indispensably necessary. We do not propose this measure because we believe that it is through English influence and English regiments that the connection between the two countries is to be maintained. My firm belief is that the influence of Great Britain in every Irish difficulty is not a domineering and tyrannizing, but a softening and mitigating influence; and that were Ireland detached from her political connection with this country, and left to her own unaided agencies, it might be that the strife of parties would there burst forth in a form calculated to strike horror through the land; though I do not hesitate to express my conviction that if that struggle were carried on with Irish means and resources exclusively, Ireland, united as it is, without distinction of creed or class, in support of order, would effectually and quickly extinguish all the machinations of these disloyal and misguided men. The hon. Member for Birmingham has asked me for expressions of sympathy with Ireland, and declarations as to the intentions of the Government in regard to applying itself to a consideration of measures for the improvement of the condition of the country. Neither my Colleagues nor myself have been, or will be, slow to give utterance to those sentiments at the proper time. My hon. Friend says we have no statesmanship; and it may be, if we have not shown it, he is perfectly justified in saying we have not got it. It may also be that the depressing and the bewildering influence of the masses of detail, with which all public life is overlaid at this hour, may have had upon us, and others more worthy, the effect of obscuring our view and lowering our aims as to the highest objects of public policy; but on this day we have one, and only one, duty to perform—an irksome, a painful, a grievous duty, and yet one of solemn and primary obligation. However contracted be the scale of statesmanship in this country, at least let us see that we retain a sensitive perception of its elementary functions, and that we know as no man can reach the higher rounds of the ladder without treading on the lower, so no man is fit to deal with great political problems unless he sets before his eyes, and never consents to turn away his vision for one moment from, the primary duty of maintaining in an orderly and peaceful country the blessings of peace and order, and of defending the loyal and well-disposed masses of the community against those who may have been unhappily misled. This is the duty of to-day, and to that duty for the day we confine ourselves. I have said we are grateful to the House—grateful to it for the appreciation which from every one of its Benches it has shown of the obligation which at this moment presses upon us. When time and occasion offer, let us give anxious consideration to every subject connected with the welfare of Ireland; but do not let us permit those subjects which, important as they are, are less important than the duty of to-day, to interfere with the discharge of that duty. Do not let us say to-day that which can be as well said on any other and future occasion. Let me remind the House of the position in which we stand in another respect. Every question of this kind, however marked may be the unanimity that prevails upon it, is a critical question; it is one of a class of questions which puts free institutions on their trial before the world. We aim by our laws, our habits, and our institutions, at the preservation and development of the fullest liberty. If the foes of public freedom sometimes ask contemptuously whether that individual liberty is not purchased at the expense of weakness in the State in times of public difficulty or danger, it devolves upon this House to give the answer; and I feel well convinced what that answer will be. I believe, from the manifestations of opinion that have proceeded from every quarter in this House, that before another hour has struck its note this Bill will, in all likelihood, have passed into another place for the purpose of being submitted to another judgment; and we shall show to the world upon this occasion—as the House has never been slow to show upon other occasions—that you need not paralyze the arm of authority in the time of danger because you appreciate the value of freedom, and that the harmony of those two great principles is recognized, understood, revered, and practised among us. It is well to bear in mind that, however difficult be the problem that faces us with respect to Ireland, even upon this very occasion we may see, and it is our duty if we see, to record the signs of progress made. Two generations ago a wide-spread rebellion in Ireland would have plunged whole provinces or extended districts in blood. In 1822, when the Habeas Corpus Act was suspended, there was a spirit of disaffection, powerful not in numbers only, but in other elements of strength, and that was not of foreign introduction. In 1848 this House divided upon the proposal to suspend the Habeas Corpus Act, and that division was preceded by a deliberation totally different in tone, I rejoice to say, from that of to-day. No Member has to-day said that he thought he best discharged his duty to the Queen by endeavouring to detach from her dominions those portions of them which it was not convenient for her to occupy and to rule. Nor are we likely, I think, to see the proceedings of this day followed up, as were those of 1848, by a Member rising, and, amid the suppressed indignation of the House—which then, perhaps, more than upon any historical occasion, testified its inestimable regard for the great principle of liberty of speech—stating that when he quitted the House he would go to Ireland for the purpose of offering armed resistance to the law. Some progress, at least, has been made towards unity of sentiment; and we have in that unity of sentiment additional testimony, if additional testimony were needed, to the assertion that was authoritatively made in the Speech from the Throne, and was not contradicted, I think, in this House, with respect to that remarkable state of opinion, that remarkable unity of sentiment in Ireland which encourages us to go fearlessly forward with those measures which are necessary for the maintenance of authority and law; for the purpose of preventing, if it may be, and at any rate limiting and reducing to its minimum, the frightful mischief of the outbreak of insurrection; for the purpose of defending the loyal masses of the people, of whatever class and religion; for the purpose of vindicating the name and fame of this country; and for the purpose, last of all, of defending also the misguided and misled agents of these frightful evils against themselves.

The Question having been put, and the great majority of voices appearing to be for the Ayes, Mr. Speaker declared that "The Ayes have it;" but an hon. Member (believed to be The O'Donoghue) crying that "The Noes have it;" the House *divided*:—Ayes 354; Noes 6: Majority 348.

Bill *ordered* to be brought in by Sir GEORGE GREY, Mr. CHANCELLOR of the EXCHEQUER, and Mr. ATTORNEY GENERAL for IRELAND.

"Bill to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain, for a limited time, such persons as he or they shall suspect of conspiring against Her Majesty's Person and Government," *presented*, and read the first and second time; *committed; considered* in Committee, and *reported*, without Amendment; read the third time, and *passed*.

AYES.

Acland, T. D.
Adderley, rt. hon. C.B.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Anstruther, Sir R.
Archdall, Captain M.
Aytoun, R. S.
Baggally, R.
Bagge, W.
Bagwell, J.
Baillie, H. J.
Baines, E.
Barclay, A. C.
Baring, hon. A. H.
Baring, hon. T. G.
Barnes, T.
Barry, C. R.
Barry, G. R.
Bathurst, A. A.
Beach, W. W. B.
Beaumont, H. F.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Bingham, Lord
Bonham-Carter, J.
Bridges, Sir B. W.
Bright, Sir C. T.
Bromley, W. D.
Bruce, Lord C.
Bruce, Lord E.
Bruce, Mr. C.
Bruce, rt. hon. H. A.
Bruce, Sir H. H.
Bryan, G. L.
Buckley, E.
Buller, Sir A. W.
Buller, Sir E. M.
Burghley, Lord
Burrell, Sir P.
Butler, C. S.
Butler-Johnstone, H.A.
Calcraft, J. H. M.
Campbell, A. H.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cave, S.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cecil, Lord E. H. B. G.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clifton, Sir R. J.
Cochrane, A. D. R.W.B.
Cole, hon. H.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cooper, E. H.
Cowper, hon. H. F.

Cowper, rt. hon. W. F.
Cranbourne, Viscount
Craufurd, E. H. J.
Crawford, R. W.
Dalkeith, Earl of
Davey, R.
Dawson, hon. Capt. V.
De Grey, hon. T.
Dent, J. D.
Dering, Sir E. C.
Dick, F.
Dickson, Major A. G.
Dilke, Sir W.
Disraeli, rt. hon. B.
Dodson, J. G.
Dowdeswell, W. E
Duff, M. E. G.
Duncombe, hon. W. E.
Dundas, F.
Dundas, rt. hn. Sir D.
Dunne, General
Dutton, hon. R. H.
Eaton, H. W.
Egerton, hon. A. F.
Egerton, E. C.
Elcho, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Admiral J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Farquhar, Sir M.
Fawcett, H.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Ferrand, W.
Fildes, J.
FitzGerald, Lord O. A.
FitzPatrick, rt. hn. J. W.
Fleming, J.
Foley, H. W.
Forde, Colonel
Forester, rt. hon. Gen.
Forster, C.
Forster, W. E.
Foster, W. O.
Fort, R.
Fortescue, hon. D. F.
French, Colonel
Gallwey, Sir W. P.
Gaskell, J. M.
Gavin, Major
George, J.
Getty, S. G.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goddard, A. L.
Gooch, D.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Gower, hon. F. L.
Graham, W.
Graves, S. R.
Gregory, W. H.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Griffith, C. D.
Grosvenor, Capt. R. W.
Guinness, B. L.
Hadfield, G.
Hamilton, Lord C. J.
Hamilton, E. W. T.
Hamilton, I. T.
Hamilton, Viscount
Hankey, T.
Hardy, G.
Hardy, J.
Harris, J. D.
Hartley, J.
Hervey, Lord A. H. C.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Heathcote, Sir W.
Henderson, J.
Henley, rt. hon. J. W.
Henley, Lord
Herbert, hon. P. E.
Hesketh, Sir T. G.
Hodgson, K. D.
Hogg, Lt.-Col. J. M.
Holden, I.
Holford, R. S.
Hope, A. J. B. B.
Horsman, rt. hon. E.
Hotham, Lord
Howard, hon. C.
Howard, Lord E.
Huddleston, J. W.
Hughes, T.
Hunt, G. W.
Ingham, R.
Jardine, R.
Jervis, Captain
Kearsley, Captain R.
Kekewich, S. T.
Kendall, N.
Kennedy, T.
King, J. G.
Kinglake, A. W.
Kinglake, J. A.
Knight, F. W.
Knox, Colonel
Knox, hon. Major S.
Laird, J.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, J. A.
Leader, N. P.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Leslie, W.
Lewis, H.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Locke, J.
Lowe, rt. hon. R.
Lowther, J.
Lusk, Alderman A.
Mackie, J.
Mackinnon, Capt. L. B.
M'Lagan, P.
M'Laren, D.
Mainwaring, T.
Manners, Lord G. J.
Marjoribanks, D. C.
Martin, C. W.
Meller, W.
Milbank, F. A.
Miller, S. B.
Miller, T. J.
Miller, W.
Mills, C. H.
Milton, Viscount
Mitchell, A.
Mitford, W. T.
Moffatt, G.
Monk, C. J.
Montagu, Lord R.
Montgomery, Sir G.
More, J.
Morley, S.
Morrison, W.
Mowbray, rt. hon. J. R.
Naas, Lord
Neate, C.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Nicol, J. D.
North, Colonel
Northcote, Sir S. H.
Norwood, C. M.
O'Brien, Sir P.
Oliphant, L.
O'Loghlen, Sir C. M.
Otway, A. J.
Packe, Colonel
Padmore, R.
Paget, Lord C.
Paget, R. H.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. General
Peel, A. W.
Peel, J.
Pelham, Lord
Pennant, hon. Colonel
Percy, Maj-Gen. Lord H.
Potter, E.
Powell, F. S.
Pritchard, J.
Pugh, D.
Rebow, J. G.
Robertson, P. F.
Roebuck, J. A.
Rothschild, Baron M de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, F. W.
Russell, Sir C.
Russell, Sir W.
St. Aubyn, J.
Salomons, Alderman
Samuda, J. D'A.
Samuelson, B.
Sandford, G. M. W.
Schneider, H. W.
Scholefield, W.
Schreiber, C.
Scott, Lord H.
Scott, Sir W.
Scourfield, J. H.
Seely, C.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Seymour, H. D.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Simonds, W. B.
Smith, J. A.
Smith, J. B.
Somerset, Colonel
Speirs, A. A.
Stacpoole, W.
Stanhope, J. B.
Stanley, hon. F.
Stansfeld, J.
Steel, J.
Stirling, W.
Stuart, Col. Crichton-
Sturt, H. G.
Sullivan, E.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Sykes, Colonel W. H.
Taylor, Colonel
Taylor, P. A.
Thorold, J. H.
Torrens, R.
Tottenham, Lt-Col. C. G.
Treeby, J. W.
Trefusis, hon. C. H. R.
Trevelyan, G. O.
Turner, C.
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Walcott, Admiral
Waldegrave-Leslie, hn G
Walker, Major G. G.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Westropp, H.
Whalley, G. H.
Whitworth, B.
Wickham, H. W.
Williams, Colonel
Williamson, Sir H.
Winnington, Sir T. E.
Wise, H. C.
Wood, rt. hon. Sir C.
Woods, H.
Wyld, J.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

NOES.

Blake, J. A.
Blennerhasset, Sir R.
Bowyer, Sir G.
Brady, J.
Dillon, J. B.
Rearden, D. J.

TELLERS.

O'Donoghue, The
Maguire, J. F.

CATTLE DISEASES BILL—[Bills 6 & 22.]

REPORT.

[The Bill having been *Committed, Re-committed,* and *Considered as Amended,* without having been *re-printed,* great difficulty has been experienced in following out the Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to,* with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 22.]

Bill, as amended, *considered.*

Sir JAMES FERGUSSON said, that some of the Scottish boroughs were very small; he knew one instance where the population of a borough consisted of only 400 persons. The Bill, as it now stood, made the magistrates of boroughs the local authorities by whom the slaughter of diseased cattle in towns was to be ordered. He feared that in some of the small Scottish boroughs the magistrates would, from a fear of entailing expense on their fellow townsmen, shrink from ordering the slaughter of cattle. He therefore moved, after Clause 5, to insert the following clause:—

> "The powers of each Cattle Plague Board shall extend over the whole of the county for which it is appointed, and over all burghs situated therein, excepting cities and burghs which have the right to elect Members to Parliament, and whereof the population within the Parliamentary boundaries of any such burgh exceeds ten thousand."

Sir ANDREW AGNEW said, that when the county which he represented (Wigtonshire) was threatened by the cattle plague the magistrates of a small burgh on the borders of the county refused to prevent a cattle bazaar being held in their town, although frequently remonstrated with on the subject. He strongly urged the House to insert the proposed clause in the Bill.

Mr. M'LAREN protested against the adoption of a clause which would disfranchise nearly sixty Scottish boroughs. He had had opportunities of knowing, from the meetings of the Convention of the Royal Burghs held in Edinburgh every year, that there was no set of men more intelligent or more anxious to do their duties than the municipal authorities. Why, then, should a stigma be cast upon the Scotch people by this Amendment? If there was any difference between England and Scotland, it might be supposed that the £10 constituency in Scotland would elect a better class of magistrates than the mere ratepayers in an English borough.

Mr. CUMMING-BRUCE said, that the addition to the clause was not proposed in order to disfranchise the boroughs in any sense, but in order to secure harmonious action throughout the country. He was willing that the magistrates should be represented in the county boards, and should there unite in laying a common plan of action. But, unless some such security was taken, all the evils of conflicting action and jurisdiction would be revived.

After a short conversation,

The LORD ADVOCATE said, he did not see any reason for drawing such a distinction between English and Scotch boroughs as would be drawn by the clause now under discussion. He believed the magistrates of the small Scotch boroughs were quite competent to discharge the duties imposed on them by the Bill.

Clause *negatived.*

Clause *brought up,* and read the first time.

Motion made, and Question put, "That the said Clause be now read a second time."

The House *divided:*—Ayes 100; Noes 146: Majority 46.

Clause 4 (Definition of "District," "Local Authority," "Local Rate," and "Clerk of Local Authority").

Mr. CRAWFORD proposed to add the following proviso:—

> "Provided, that within the City of London and the liberties thereof the Court of the Lord Mayor and Aldermen shall, for all the purposes of this Act, except that of making a rate, be deemed the local authority, but for the purpose of making a rate for the purposes of this Act the Metropolitan Board of Works shall be the local authority."

Motion *agreed to.*

Proviso added to clause.

Clause 15 (Slaughter of Cattle herded with Diseased Animals).

Sir EDWARD BULLER moved to add the following proviso:—

> "Provided always that the Lords of Her Majesty's Most Honourable Privy Council, or any two or more of them, may reserve animals (ordered to be slaughtered as aforesaid) for the purpose of experimental treatment."

Motion *agreed to.*

Proviso *added.*

Clause 21 (Regulations as to Movement of Cattle).

MR. E. CRAUFURD said, the first part of the clause prohibiting the removal of cattle by sea would injuriously affect the agricultural interest of the various islands around Scotland. The cattle of Argyllshire were not fat cattle fit for the market, but were young lean beasts sent down to be fattened. He therefore proposed to add such words as would permit sound cattle to be moved by sea from one part of a county or district to another part of the same county or district with the permission of the local authorities.

Another Amendment proposed, in page 7, line 30, to leave out the words "place in," and insert the words "part of the mainland of,"—(*Mr. Edward Craufurd,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. BARING said, he could not agree to the insertion of the words proposed by the hon. and learned Member, as they would admit of a much wider construction than the hon. Member supposed them capable of. For instance, if the words were inserted as proposed, cattle might be removed from the Isle of Wight to Portsmouth.

MR. HUNT remarked that the proviso to be introduced into the Bill permitting lean cattle to be removed at certain periods would meet the proposal of the hon. and learned Gentleman.

Amendment, by leave, *withdrawn.*

Bill *re-committed,* in respect of Clauses 35, 37, and the last clause; *considered* in Committee, and *reported;* as amended, *considered;* to be printed as amended. [Bill 22.]

On Motion that the Bill be read a third time,

LORD ELCHO said, he had been reminded by a letter which he had received from the country that one thing had been omitted from the Bill. It had been resolved that the railway companies should not carry cattle in their trucks; but it had not been declared illegal to carry anything else in them. He found from the information his correspondent had supplied him with that the railway authorities were carrying wood, bricks, tiles, and other things in their cattle trucks. He thought it was incumbent upon the House to make some stringent provisions, ordering that until the trucks had been disinfected to the satisfaction of some thoroughly competent person nothing whatever should be carried in them.

Motion *agreed to.*

Bill read a third time, and *passed.*

HABEAS CORPUS SUSPENSION (IRELAND) BILL—[BILL 21.]

MESSAGE FROM THE LORDS—That they have *agreed to*—Habeas Corpus Suspension (Ireland) Bill, *without* Amendment.

CATTLE PLAGUE BILL—[BILLS 7 & 24.]

COMMITTEE.

Bill *considered* in Committee (*on re-commitment.*)

MR. HUNT desired to explain what arrangement had been come to between him and the right hon. Gentleman the Secretary of State for the Home Department. It had been arranged that the Cattle Diseases Bill, which had just been passed, should deal with the movement of cattle only as regarded their carriage by rail and their landing at ports. The Bill under consideration, it had been arranged, should deal with the movement of cattle generally; and, therefore, all other clauses foreign to that matter had been struck out of it. He was obliged to the Government for having consented to his proposal to place this Bill first upon the Orders of the Day for Monday, and he moved that the Chairman report Progress.

Committee report Progress; to sit again on *Monday* next.

Mr. SPEAKER left the Chair at six o'clock.

Mr. SPEAKER resumed the Chair at eleven o'clock.

MESSAGE FROM THE LORDS—That they do *request,* that this House will continue sitting for some time.

Message *considered.*

Resolved, That this House will continue sitting for some time, as desired by their Lordships.

Message to attend the LORDS COMMISSIONERS.

The House went; and being returned;—

Mr. SPEAKER *reported* the *Royal Assent* to—HABEAS CORPUS SUSPENSION (IRELAND) BILL.

House adjourned at a quarter
before One o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, February 19, 1866.

MINUTES.]—Public Bills—*First Reading*—Law of Evidence Amendment * (16); Divorce and Matrimonial Causes * (17).

Second Reading—Telegraph Act Amendment * (13), *Committee negatived;* Cattle Diseases (14).

Committee—Cattle Diseases (14).

Report—Cattle Diseases (14).

Third Reading—Telegraph Act Amendment * (13); Cattle Diseases (14), and *passed*.

CATTLE DISEASES BILL—[Bill 14.]

SECOND READING: COMMITTEE: THIRD READING.

Order of the Day for the Second Reading and for Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with, read.

Earl GRANVILLE: My Lords, I am not in the habit of trespassing at any very great length upon your Lordships' time, and it is not my intention to do so upon the present occasion. There are, however, a few reasons in support of this measure which I feel it desirable to state, but not at any great length, the noble Earl opposite (the Earl of Derby) and the noble Lord on the cross-benches having both declared on a former occasion that time was a very great element in the stoppage of the cattle plague. I am compelled to admit that if I went very closely into the details of the measure there are many clauses of which I could not conscientiously recommend the adoption to the House, and many which must inflict great inconvenience if the Act is to be at all effectual for its purpose. On the other hand, it is a great pleasure to me to introduce this Bill to the attention of your Lordships, because I have a strong hope that it will go far to stop the progress of the disease which has so long baffled our endeavours to cope with it. With the provisions of the Bill your Lordships are already generally acquainted, and I believe that it does in a very great measure represent the feelings of the vast majority of the agricultural interests, who are, at any rate, most immediately concerned in the issue of this grave question. In dealing with this Bill there is one point which is to be remembered. Your Lordships, who all pay so much attention to the subject, have naturally made yourselves aware of what passed in the other House of Parliament, and of the very great difficulties that have to be encountered in dealing with the question; and that, since there may exist in some minds a doubt as to the perfect adaptability of this Bill to accomplish all that may be desired, this Bill is to be immediately followed by another containing regulations as to removal of cattle, and other matters, to a certain extent introducing exceptions from that isolation which it is the object of the present measure to establish. It certainly is, in the minds of many, a very great object that we should pass this Bill at once, reserving for introduction into the Bill that will immediately follow it any Amendments that may appear to be necessary. On the other hand, it may be, your Lordships may feel that there are in this Bill clauses which it is not desirable by suspending the Standing Orders to pass into law at once, but rather that it is desirable to wait for that other Bill which is coming up from the other House. This Bill, in the first place, constitutes local authorities to carry out its provisions, and confers upon them the power to appoint inspectors or other officers. The duties of those officers are clearly defined. Among other powers they will be enabled to enter any farm or buildings where they may have reason to suppose that the cattle disease exists. The next portion of the Bill is very important, and relates to the slaughter of animals. We propose by this Bill to give to the local authorities power to destroy all diseased animals, and also to authorize the slaughter of all such animals as, owing to their having been in contact or herded with diseased animals, may be suspected to be liable to the disease; and the Bill further provides for the payment of compensation to owners for cattle which may be thus destroyed. This compensation is to be provided by a local rate, and is in no case to exceed one-half of the value of the animal slaughtered, or the sum of £20 at the utmost. With regard to the removal of cattle, the Bill contains clauses prohibiting entirely the movement of cattle by railway up to the 25th of March, and that cattle imported by sea shall be slaughtered at the port of entry. The rest of the measure consists of matters of detail. It deals, for instance, with the expenses of the local authorities, and with cases in which a voluntary rate may have been self-imposed in the district. There is also a clause as to the lending of money by the

Public Works Loan Commissioners, to be repaid in seven years; and the rest of the Bill is made up of provisions with regard to legal proceedings and saving clauses. I do most sincerely trust that the measure, attended as its operation must necessarily be with great inconveniences, may prove effectual for the purpose for which it is intended. I am quite sure that the Government will receive all the co-operation which the local authorities can possibly afford. And though, abstractedly, I cannot approve all the provisions which it contains, yet I am very glad to be able to move the second reading of a Bill which appears to meet the wishes of those who have most carefully considered the subject, and who are most immediately affected by the disaster.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

THE DUKE OF BUCCLEUCH said, he had no intention of opposing the second reading, but he must express his surprise at the manner in which it was proposed to proceed with the Bill. It was not till that morning that he was aware that the Bill had left the other House of Parliament, and now it was proposed to suspend the Standing Orders that they might pass the Bill with the same rapidity as the House had been asked to give its consent for suspending the Habeas Corpus in Ireland on Saturday last. No previous intimation had been given by the Government of their intention to carry the Bill through with such extraordinary haste. There were many points in the Bill requiring consideration, and they were in danger of making this a "botched" measure. He protested against a measure of such importance being brought up to that House at the last hour of the night of Saturday, so that their Lordships had not had the opportunity of seeing the Bill till Monday morning, or of communicating with those in distant parts of the country, whose interests the provisions of the Bill vitally affected. Now, on Monday, their Lordships were asked to suspend their Standing Orders, in order that the Bill might be passed through all its stages at one sitting. Moreover, they were told that they ought to accept the Bill as it stood, because there was coming up from the other House another Bill which would remedy all the deficiencies of the present; but which very probably, having been passed with equal haste, might be found to be equally botched. Upon the principle of the Bill, no doubt, their Lordships were agreed; but how, with the suspension of the Standing Orders, was it possible to consider the details? He wished to know as to Clause 5, why the local authorities in Scotland had been entirely changed? For what purpose was this? Had the justices of the peace failed in their duty, had they been negligent, or had one single instance been brought forward in which they had either fallen short in the performance of their duty or exceeded it? He was not aware of any. As far as he was aware, they had done their duty well and fearlessly. Sometimes the orders and regulations which they had to enact were excessively distasteful and unpopular, and in some cases these inflicted hardships on individuals; yet, when the public good rendered it necessary, they had not shrunk from the discharge of their duty. The arrangement proposed was a slur upon the justices of the peace of Scotland. They were now to have a new Court. The Commissioners of Supply and some tenant-farmers to be nominated by the lord-lieutenant, the lord-lieutenant himself, the convener and sheriff, or sheriff-substitute of the county were to form the local authority. Who were the Commissioners of Supply? The qualification was the possession of £100 a year in land, but the body had no judicial power—all it had to do was to collect the land tax and impose the assessment. True, it had by recent statute certain powers with respect to the police, but those powers were merely fiscal. He should certainly move the omission of the clause when it came under discussion, and propose that the local authority in Scotland should be the justices in quarter sessions assembled, as in England. There was necessarily some delay in calling the Commissioners of Supply together, and it would take a fortnight, at least, before anything could be done by them; whereas there was at present a local authority ready at hand: if it should be necessary to take the advice of practical agriculturists words might be put into the clause, enabling certain tenant-farmers to assist the sub-committee. In the south of Scotland, at all the meetings of the justices, the tenant-farmers had been invited to be present, and although they had no hand in issuing the orders, their advice had been very much attended to and had been of great value. By the clause, as explained by the schedule, a separate local authority was placed not only in every Parliamentary burgh, but in every burgh which contributed to send a Member to Parliament, which latter were in many cases in Scotland little better than villages, and sometimes the chief magistrate was a butcher, baker, or blacksmith. Surely these were not the persons to set up as a separate local authority. He could not see why the present local authorities in Scotland should be set aside as unworthy and unfit to hold the position they had hitherto occupied. They knew perfectly well the difference between justices in England and justices in Scotland. In England the justices were always upheld by the Superior Courts, but in Scotland it was the reverse. Call a man a sheriff-substitute, and he was immediately a Solon, his knowledge and authority were above all; but if the most astute lawyer and the most talented person were acting as justice of the peace, it would be said, "Oh! he's only a justice, and he cannot be right." That was too often the way in which justices of the peace were spoken of in Scotland. He trusted this clause would be altered, as well as many others which required their Lordships' most anxious consideration. For this reason he counselled caution and delay rather than precipitate action.

Earl GRANVILLE: In reply to the arguments of the noble Duke, I would say that I believe every one of your Lordships is agreed that it is desirable to pass the second reading of this Bill with unanimity. I have merely proposed the course I have in the full belief that it would be the best; but I have not the slightest desire to force my opinion, and hope your Lordships will judge for yourselves and act in accordance with that judgment. I moved the second reading of the Bill as I supposed *pro formâ*, and took that opportunity of bringing the principal provisions of the Bill under your Lordships' notice; and if the second reading be agreed to, I shall move the suspension of the Standing Orders, and then that the Committee be negatived—not with the view of precluding your Lordships from considering the Bill clause by clause, but to take the opinion of your Lordships, whether they think it necessary to discuss the clauses *seriatim*. I will, however, observe that if much of your Lordships' time is occupied in discussing this Bill clause by clause, and then if it be again discussed in the Commons when our Amendments are taken there, and again brought back here to be considered, much valuable time will obviously be lost. If such a result should be attended with serious consequences, I trust it will not be laid to the door of Her Majesty's Government.

The Earl of DALHOUSIE said, he could not agree to the principle of the indiscriminate slaughter of cattle ordered by the Bill. He was of opinion that the indiscriminate slaughter of cattle was altogether wrong—it was a principle which would press with great hardship on the country, and unless it was modified, they would have the whole agricultural interest in arms. He was of opinion that the clause might be modified. In some instances compulsory slaughter might be absolutely necessary; but in others it would be a very great injustice, and would be scarcely any provision against the extension of the disease. As he was of opinion that alterations were absolutely necessary, if we were to read this Bill a second time on the understanding that it was to go into Committee and be discussed as usual, clause by clause, he should be the last to throw any charge upon the Government for the delay; but it was absolutely necessary that it should be so discussed. There were Amendments which he considered necessary to various clauses, and he would rather they were introduced in the Bill actually under discussion, than wait for the other Bill not yet come up from the Commons. As to the clause with respect to the local authorities in Scotland, he could not understand by whose advice a slur had been cast upon the magistracy of Scotland, by taking from them powers with which they were invested under the Orders in Council, and giving them to a body totally irresponsible to any public body whatever. Magistrates were responsible in the execution of their duty to certain high authorities; but the Commissioners of Supply and agricultural tenants to be appointed by the Lord Lieutenant were responsible to no one, either for over-straining their duty and doing too much, or for neglecting their duty, and doing too little. He entirely agreed with the noble Duke (the Duke of Buccleuch) in thinking the change was altogether unnecessary, and thought they should take all Parliamentary means of restoring the magistracy in Scotland to the position which they ought to hold under this Bill. He trusted that if the Bill were read a second time, with the unanimous assent of the House, that they would then proceed to discuss it in Committee in the usual way.

THE DUKE OF MONTROSE said, he considered it would be a most foolish proceeding to pass a Bill leaving its known defects to be corrected by another Bill which might or might not come before their Lordships. If they made such alterations as they might consider necessary, it would not cause a delay of twenty-four hours in the passage of the Bill. The only point of importance in this Bill was that it stopped the cattle traffic by railway; but at this moment the traffic by road was open, and so were the markets. The other Bill was to deal with the traffic by roads and the general movement of cattle. Until that Bill, therefore, was passed, the work would be only half accomplished; consequently, the delay proposed would not in fact frustrate the main object they had in view. If they merely stopped the railway traffic, the work would only be half done, and it was not till the other Bill came up that they would be able really to attain the object which they all had in view—namely, to stop entirely the traffic in live animals. The Local Authority clause to which the noble Duke referred was a most extraordinary one; and he should like to know whether such a clause would have been permitted in the English part of the Bill. Would their Lordships submit to a clause which proposed to put the county magistrates under the orders of the tenant-farmers and ratepayers?

THE DUKE OF ARGYLL: When we come to the clause I shall be happy to explain.

THE DUKE OF MONTROSE understood they were not to be permitted to come to the clause at all. They were asked to pass the Bill through all its stages, and postpone the discussion till the second Bill came up. The clause which had been referred to was the most monstrous one that had ever been invented; and it was part of the system of the Edinburgh lawyers to throw over the justices.

EARL GRANVILLE said, it was perfectly true that he had proposed to negative the Committee, in order to meet what he thought was the general feeling of the House; but he was quite ready to take the other course of going into Committee and discussing the Bill clause by clause.

Motion *agreed to.*

Bill read 2ª accordingly.

Standing Orders Nos. 37 and 38 *considered,* and *dispensed with.*

Bill *committed* to a Committee of the Whole House.

House in Committee accordingly.

Clauses 1 and 2 *agreed to.*

Clause 3 (Definition of Terms).

THE MARQUESS OF BATH said, that this was, in fact, only the skeleton of a Bill. Almost the whole of the important parts had been cut out, and the Bill would be inoperative in all respects but one till another Bill, now before the House of Commons, should have been passed. The present Bill prohibited the removal of cattle by railway, but all the remaining questions relating to the removal of cattle were left untouched. It dealt with the slaughter of diseased animals, but in no way provided for the treatment of infected districts. The two Bills ought to have been discussed together.

EARL GREY urged the necessity of passing the Bill with as little delay as possible. The noble Marquess (the Marquess of Bath) had said that it only dealt with one part of the question; but it gave the power of compulsory slaughter, and it also provided compensation. These were provisions which were really wanted, and they would do much towards stopping the plague. In the next place it stopped all the great markets. It also prohibited the movement of cattle imported from abroad along the roads and canals. By this Bill animals were prohibited from being sent by rail, and already by the Orders in Council they were prohibited, in several counties, from being sent along the roads. This Bill, therefore, would completely stop the removal of cattle for a time, and would meet all that in the first instance was required. These provisions were understood to be quite in accordance with the wishes of the agriculturalists themselves.

Clause *agreed to.*

Clause 4 (Definition of "District," "Local Authority," Local Rate," and "Clerk of Local Authority").

THE MARQUESS OF BATH had not a word to say against the clause as it stood, but complained that they were in ignorance as to what powers would be conferred upon the local authorities in the way of granting relaxations, which all admitted were to some extent necessary.

EARL GRANVILLE said, that he could not of course say in what form the Bill would come up from the other House; but if it should be found that any objectionable powers were conferred upon the local authorities by the Bill under discussion in the other House, their Lordships would have the opportunity of negativing them on its being sent up to them.

Clause *agreed to.*

Clause 5 (Local Authorities in Counties in Scotland).

THE DUKE OF BUCCLEUCH thought the clause might be struck out, and the powers in Scotland granted by the Act conferred upon the authorities by whom they had heretofore been exercised.

THE DUKE OF ARGYLL said, that as the conduct of the Government had been attacked with such extraordinary warmth by the two noble Dukes opposite, he could scarcely avoid—though the matter was one rather of local interest—occupying their Lordships' attention for a few minutes while he explained to their Lordships the course which had been taken with regard to this clause. The whole dispute was, who should constitute "the local authorities" in Scotland, and it would be better perhaps for him to explain to their Lordships the circumstances of the case. The local authorities in Scotland as constituted by the Order in Council were the justices of the peace, and for this plain reason —the Order in Council was issued under a statute which, owing probably to the circumstance that at the time of its being framed such an event as the cattle plague was never contemplated, happened to be the only one under which such Orders could have been issued. This Act enabled, or had been construed to enable, the Government to delegate its powers to the justices of the peace; but they were purely executive, and there was no power of taxation whatever. But in Scotland there already existed a very old constituted body who exercised the powers of levying rates, and therefore when the Government were going to give the power of levying this rate they naturally gave it to the Commissioners of Supply. The Commissioners of Supply in Scotland were composed of the landed gentry of the country; and as they, and they alone, possessed the powers of taxation, it was but right that the Government, in providing for the levying of taxes, should have recognized their existence and authority. It was also natural that, having fixed upon the Commissioners of Supply as the authorities for levying the rates, the administration of those rates should also have been intrusted to the same body. Then the two noble Dukes were excessively indignant that the lord-lieutenant should be empowered to add to this body a few of the tenant-farmers of the county. The tenant-farmers, however, were to pay half the rate, and it was their beasts that were to be slaughtered. These were strong reasons why they should have a voice in the matter. The noble Duke had asked why Government had drawn up the clause in its present form. They had done so in compliance with a memorial sent to them by the Highland and Agricultural Society of Scotland, which had been agreed to at a meeting over which the noble Duke himself presided, a society which represented nearly the entire body of landed proprietors and of tenant-farmers in Scotland. The resolution agreed to at that meeting was as follows:—

> "That this Society memorialize Government to prepare a Bill, and to urge the same through Parliament immediately on its assembling, in which Bill shall be named a central Board of Commissioners, who shall authorize and require, as they shall see fit, the formation of county and town Boards throughout the kingdom consisting of Commissioners of Supply, and one or more elected tenant-farmers from each parish in counties, and of the magistrates of towns or burghs," &c.

That memorial the noble Duke, as chairman of the meeting, sent up to Government without one word of protest; and the Lord Advocate had framed the clause in question with special reference to the suggestions it contained, supported as they were at a subsequent meeting of Scotch Members of the House of Commons, who, he believed, adopted the proposal without a single dissentient voice. He (the Duke of Argyll) confessed that he did not attach much importance to the point at issue one way or the other, because the same persons for the most part constituted the bench of magistrates and the Commissioners of Supply; and, under these circumstances, he was not disposed to insist on the retention of the clause, although he had thought it his duty to offer a justification of the course pursued by the Government. The matter, however, was of such comparative unimportance that should the noble Duke persist in his opposition to the clause he should not trouble the House to divide upon the question.

THE EARL OF MANSFIELD said, the noble Duke on the other side of the House (the Duke of Argyll) seemed to regard the justices of the peace and the Commissioners of Supply as identical — a supposition which almost made him doubt whether the noble Duke was a Scotchman after all. The noble Duke appeared to forget that the Commissioners of Supply had no judicial functions, and that the police were not in any way subject to their jurisdiction. They had power only over the levying of taxes and of making out rates at the recommendation of others; whereas the magistrates had power over the police, and he had not heard one word of complaint as to the mode in which they had exercised that authority. Again, the magistrates met on several days in the week, whereas the Commissioners of Supply only met on one day in the week. If the clause were passed as it stood at present, great inconvenience would be caused, as it would be necessary to create a new organization for the purpose of carrying the Act into operation. He would undertake to say that if the Amendment were adopted everything in his county would be ready in four days for carrying the Act into operation; while if that power were intrusted to the Commissioners of Supply, it would take three weeks to bring the scheme into working order.

EARL GRANVILLE thought, that as the Scotch Members of the other House of Parliament were in favour of the clause as it stood, nothing could more induce to delay than the adoption of the proposed Amendment.

LORD POLWARTH was understood to say that if the clause were permitted to remain the Act could not be brought into operation in Scotland until March.

THE DUKE OF ARGYLL asked the noble Duke opposite (the Duke of Buccleuch) how he proposed to deal with the question?

THE DUKE OF BUCCLEUCH said, he intended to move an Amendment to strike out the clause under discussion, to amend the 8th clause, and to alter certain parts of the schedule.

THE DUKE OF ARGYLL wished to know how the tenant-farmers whose property was to be destroyed, and who paid one-half the rate, were to be dealt with.

THE DUKE OF BUCCLEUCH said, that the tenant-farmers of Scotland were in the same position as those of England. By his Amendment he proposed that local authorities should be enabled to form themselves into committees, and to place tenant-farmers upon those committees. Reference had been made to a meeting of the Highland Society, over which he had the honour of being president, at which the resolution was passed that had been forwarded to Government. An amendment was moved and took every one by surprise; he should have himself spoken and voted against it if he had not been in the chair; but the resolutions were carried by a majority. The memorial had been sent up to the Government by the secretary of the society in the usual way, and all he had done was to sign it as president.

THE DUKE OF ARGYLL, to save the time of the House, was ready to accept the Amendment of the noble Duke.

EARL GREY suggested that the clause under discussion had something of the nature of a taxing clause, and therefore the Amendment might involve a question of privilege. It would alter the constitution of the body by which a local rate was to be imposed.

THE DUKE OF MONTROSE observed; that this clause did not impose the rate, or make any alteration in the manner of levying it.

THE LORD CHANCELLOR said, the local authority was the body to which the 18th clause confided the power of levying the rate, and to alter this clause would be a direct violation of what were considered the privileges of the other House of Parliament. He spoke under correction; but there must always be a considerable number of justices among the Commissioners of Supply.

THE EARL OF DALHOUSIE did not think the clause involved any breach of privilege. It simply constituted the local authority. It was not proposed to touch the 21st clause, which dealt with the mode in which the rate was to be levied.

EARL GREY was still of opinion that their Lordships could not alter this clause without coming into collision with the other House of Parliament and preventing the passing of the Bill. His own opinion was corroborated by a very high authority in the other House that they were not at liberty to alter the authority by which a local burden was imposed. That was the rule. If they left out the clause, they would undoubtedly interfere with the privileges of the other House. But if there were no question of privilege, he must say he should feel bound by the authorities which had been adduced in favour of the clause as it stood, supported as it was by the unanimous opinion of the Scotch Members in the other House, by the Highland and Agricultural Society of Scotland, and by the Members of Her Majesty's Government. He was not content to risk the Bill altogether on a mere matter of punctilio.

THE DUKE OF ARGYLL said, that when he had consented to adopt the Amendment, he had done so upon the supposition that it would not in any way endanger the passing of the Bill. But he was at present disposed to believe that its adoption would be an interference with the privileges of the House of Commons; and he, therefore, trusted those Peers who were honestly anxious that the Bill should pass without delay would support the clause as it stood.

EARL RUSSELL said, that if the House of Commons should consider that the proposed alteration involved a matter of privilege, this Bill would be laid aside; a new Bill must in such a case be brought forward, and delay would necessarily be occasioned.

THE EARL OF HARROWBY observed, that the objection raised on the ground of the length of time which must elapse before the meeting of the Commissioners of Supply might be obviated by inserting in the clause words empowering them to meet "forthwith."

THE EARL OF DERBY thought that the present discussion showed the extreme inconvenience of the course pursued by the Government with regard to the Bill; for their Lordships were now called on at a short notice to discuss many points of detail, as to which there was great difference of opinion, and on which the Government did not appear themselves to have made up their minds; while their Lordships had not had the opportunity of seeing the Bill until eleven o'clock that morning. The Bill, too, was not a mere temporary measure, for some of the provisions were to last two years and a half; and therefore he thought that the infinitely better course would have been to pass Resolutions in both Houses of Parliament with respect to three or four points on which there was a general concurrence of opinion, giving the Government power to legislate by Orders in Council in reference to those points until the period when Parliament might have been able to pass a Bill on the subject. With regard to the case under discussion, he was quite ignorant of its merits; but it seemed extraordinary that it should be proposed to take away authority from a body which had hitherto exercised it without complaint, and transfer it to another body of which they had no previous experience; but, for his part, he was so anxious to see the Bill pass without a moment's delay that he should be disposed to waive any objection to the provisions of the Bill—whatever he might think of some of them. With respect to the point raised in respect to the delay in the meeting of the Commissioners of Supply, he thought that that might be deemed disposed of by the 7th clause, which, as it appeared to him, gave power to summon the Commissioners of Supply at any time. As to the question of the privileges of the other House, it would certainly be unfortunate (whether they were right or wrong—whether the other House gave way or not) if that question should create any delay, and some delay must inevitably take place. He therefore submitted to his noble Friends that it would not be desirable to delay the Bill by pressing their Amendment. If, however, their Lordships consented to pass this Bill in its present defective state he hoped the Government would consent to insert a short clause to the effect that this Act may be altered or amended by any Act passed for that purpose in the present Session of Parliament.

THE LORD CHANCELLOR said, that no special Act was necessary for that purpose.

VISCOUNT MELVILLE thought that if the House found in the Bill a clause clearly objectionable they ought to strike it out, even if it involved the necessity of having another Bill brought up from the other House.

THE DUKE OF BUCCLEUCH said, he would yield to the objections made to his Amendment (which, however, were purely technical) rather than defeat the Bill, and would not press it.

Clause *agreed to.*

THE MARQUESS OF BATH wished to know what course the Government intended to pursue if the Cattle Plague Bill in the other House did not receive the Royal Assent this week. The clause stated that all quarter sessions should stand adjourned "to the Monday in the first week succeeding the week in which this Act passes." Would the Government prolong the Orders in Council for a short time after that day, or continue the existing orders in quarter sessions for a few days?

Moreover, they would have new local authorities who would not know the duties devolving on them. He suggested that the 1st of March should be substituted for the Monday mentioned in the clause.

EARL GRANVILLE believed, subject to what might take place in the other House, that the other Bill could receive the Royal Assent this week as well as the present measure.

Clauses 6, 7, 8, and 9 *agreed to.*

Clause 10 (Power of Entry for Inspectors, &c).

THE EARL OF HARDWICKE called the attention of their Lordships to the fact that this clause gave power to any inspector to at all times enter any field, stable, cowshed, or other premises within his district where he had reasonable grounds for supposing that cattle affected by the plague were to be found. He confessed that he was more alarmed at the visit of the inspector than at anything else, because he was satisfied that the inspector was the medium of infection in many cases; but what he wished to suggest to their Lordships was that the inspector should be required to state in writing the grounds on which he proposed to enter before he required the owner or occupier to admit him under the penalty prescribed by the clause.

EARL GRANVILLE reminded their Lordships that the local authorities would have authority to revoke the licence of the inspector on any well-furnished complaint.

THE EARL OF DALHOUSIE said, he had an Amendment to propose in the clause with the view of securing that notice to the owner or occupier which the noble Earl (the Earl of Hardwicke) had referred to. He thought the owner or occupier was at least entitled to a notice in writing of the grounds on which it was sought to enter his premises, before he was compelled to admit the inspector.

EARL GREY called attention to the closing sentence of the clause—

> "Provided always that such inspector shall, if required, state in writing the grounds on which he has entered such premises for the purpose aforesaid."

Clearly this was a provision for notice in writing by the inspector, and showed that the inspector was to state the grounds of his visit before he entered. He should vote against all verbal Amendments, as they would only tend to defeat the object of the Bill.

THE EARL OF DALHOUSIE had supposed that the noble Earl (Earl Grey) understood English better than it appeared he did. The words of the clause were, "on which he has entered such premises," and not "on which he is about to enter such premises." The proviso at the end of the clause evidently contemplated the case of a complaint from the owner after the entry, in which case the inspector was to state in writing the grounds on which he had entered.

EARL RUSSELL asked what object would be gained by his noble Friend's Amendment if the owner was not to have the power of refusal.

THE EARL OF DALHOUSIE said, he did not propose to alter the clause so as to take away the compulsory power of entering.

THE DUKE OF BUCKINGHAM said, that his experience in his own district was unfavourable to giving the inspectors power to enter at will upon any premises, and perhaps going directly from an infected to an uninfected herd, upon the mere village gossip that this disease existed in the latter. During the last three weeks many cases of this sort had arisen. He thought some notice to an owner should be given in order to give him opportunities, if he could, of showing that there was no necessity for so dangerous a visit. He feared that the Amendment, even if adopted, would not secure that the inspector would be free from infection.

EARL GRANVILLE observed, that Clause 14 provided for the disinfection of the inspectors. If this was a case that allowed of delay it might be desirable to have a preliminary process, such as an application to a magistrate and the granting of an order by a justice; but this would be a source of delay, while the check suggested would be attended with no practical security.

THE EARL OF CARNARVON said, there was a good deal of force in some of the arguments which had been put forward in the course of the discussion, and suggested that the clause should be postponed for the present. It could then be dealt with as might be necessary in the event of Amendments being introduced into any of the other clauses.

THE EARL OF HARDWICKE said, it was hopeless to imagine that inspectors passing from diseased to healthy cattle could be prevented from spreading the contagion by any process of disinfectants. He doubted whether if fresh clothes were kept at every farm which the inspector visited that would suffice, unless the inspector also bathed between each visit. He proposed that all the compulsory powers in the Bill be struck out.

THE DUKE OF ARGYLL said, the noble Earl might as well move that the Bill be read a second time that day three months. The compulsory principle was the very essence of the Bill.

THE EARL OF DERBY remarked, that the course of treatment proposed for the inspectors reminded him of the regulations affecting the "casual" poor, who were not allowed to come into the house unless they previously submitted to the operation of the bath. The Bill would certainly lose much of its force if the compulsory powers were materially interfered with, for it was very necessary that the inspector should have the power of entering when cattle were diseased or with good reason suspected of being so. At the same time, something ought to be done to satisfy the owner of the cattle as to the grounds on which the inspector was acting, and the general nature of the information which he had received; because it was quite possible that the owner might have it in his power to explain the circumstances to the satisfaction of the inspector, without necessitating an inspection of the cattle. He did not agree with the parallel sought to be established between the inspectors and the doctors, who, it was said, might equally spread infection by their visits. The difference was, that the doctor did not come till you sent for him.

THE MARQUESS OF BATH said, that if delay were to be deprecated in the case of the present Bill, to pass the one which was still to come would be ten times more important, because it was to amend the imperfections of another Bill, which by that time would already have become law.

EARL GRANVILLE consented to the postponement of the clause.

Clause *postponed.*

Clause 11 *agreed to.*

Clause 12 (Slaughter of diseased Animals).

THE EARL OF AIRLIE expressed the opinion that the clause was too stringent. The slaughter of diseased animals was made imperative in all cases, without exception of any kind. In the county of Forfar, with which he was connected, 50 per cent of the animals attacked recovered.

Many would be convalescent when the Act came in force, and the local authorities would have no option but to destroy them, while it was acknowledged on all hands that a recovered cow was the very animal upon which you could best depend upon for the restitution of your stock. A letter from Forfar informed him that the percentage of recoveries there was increasing. Therefore, with a view to correct the evil he had indicated, he proposed to add a proviso at the end of the clause.

Moved to insert the following words:—

("Provided, that when an Inspector shall give a Certificate in Writing, countersigned by a Justice of the Peace, that any Cattle within his District are recovering from the Cattle Plague, the Local Authority shall not be required to cause such Cattle to be slaughtered, but the said Local Authority, if they shall think fit, may order such Cattle to be slaughtered in the Manner and subject to the Provisions contained in this Act.")—(*The Earl of Airlie.*)

THE EARL OF WINCHILSEA thought there would be great difficulty in fixing a price upon the animal slaughtered. How could anyone tell what it was worth immediately before it was slaughtered? It would be more proper, in his opinion, to price the animal in accordance with its value when the inspector came to it.

EARL GRANVILLE: I would say, with regard to the Amendment of the noble Earl behind me (the Earl of Airlie), that in my opinion it is worthy of your Lordships' consideration. The Amendments proposed before this are really not of sufficient importance as to entitle them to comparison with the question of time. But this is not only a question of importance, it is also a question of great difficulty. I entirely agree with the noble Earl that the clause as it stands is calculated to deal hardly in individual cases. It would deal so with the man who had nursed a cow through the disease up to the present time and brought her into a convalescent state, and consequently increased her value. For the same reason the destruction of that animal would be a national disadvantage, because the cow would surely do good service in the future. But we should remember that the object of the Bill is to employ very stringent measures to put an end to a very great evil. Probably these measures will cause a rise in the price of meat, and probably they will interfere with the course of trade; but it is thought in the wisdom of Parliament to be worth while to make the experiment of using these very stringent measures in order to eradicate this great evil, if possible. We propose, therefore, to adopt the principles of isolation and slaughter. In my opinion, we should adopt those principles thoroughly; for if we commence making exceptions we shall make loopholes for the disease to escape. The convalescent cow, though likely to recover, contains as much contagious matter about it as one actually suffering from the disease; and if you get excuses for preserving it the disease must spread. Then, again, it is very difficult to distinguish between the animal likely to recover and that which is past cure. I doubt, however, whether an animal which it is thought will recover from the pest would fall under the description of "a beast affected by the plague." Although it is with great reluctance that I do so, I certainly think it my duty to oppose the Amendment introduced by the noble Earl. And as it is proposed that the Bill shall only be in force during a short period, I think it would be especially unwise to make exceptions to its provisions which would detract from its efficacy.

THE EARL OF DALHOUSIE still desired to see some mitigation of the hardship which the Bill would inflict upon the farmer. He had been assured that 300 convalescent animals were at present in Forfar; and he desired to see some means placed at the disposal of the local authorities for saving such animals as they thought fit by strict isolation or some such means. He entreated their Lordships to give the local authorities some discretionary power at least for this purpose, and not compel them to destroy what might afterwards turn out to be useful animals.

THE EARL OF LICHFIELD was entirely opposed to the Amendment, because it was opposed to the chief principles of the Bill. If that Amendment was admitted the principles of slaughter and compensation must go. But he would suggest that the words "as soon as possible" be added after the word "slaughtered."

LORD EGERTON also objected to the proposed Amendment.

LORD STANLEY OF ALDERLEY objected to the clause as it at present stood. In conversation with a friend of his, a Member for Cheshire, he had been informed that the clause, if carried, would in that county, which had suffered much from the plague, be attended with great hardship. His friend had mentioned an instance in which a widow and her daughter possessed ten cows, which before the appearance of the disease were worth about £15 each. By great care they managed to save two of the animals, all being attacked, and the remainder dying from the disease; but the value of animals which had recovered from the plague had so increased that she sold those remaining two for £100. Now, if this clause had been in operation at the time, both of these animals would have been ordered to be killed, and the poor woman would have been ruined. He therefore regarded the clause as too stringent.

THE DUKE OF BUCCLEUCH said, he did not believe that the disease could be got rid of by a system of wholesale slaughter, because where the disease had by that means been temporarily suppressed, it had subsequently re-appeared. He thought that the plan was likely to be as effective as if they had attempted to keep the smallpox from spreading by putting to death every man, woman, and child who should be attacked, or should have been in any house where any one had been attacked. He had learnt only that morning of an instance in which eighteen out of twenty-five animals seized with the disease in the county of Edinburgh had recovered; and yet if this clause had been in effect the whole of those eighteen must have been slaughtered. In another case three had recovered out of fourteen; and he might mention, as a singular fact, that those three had come from a farm where the cowpox had raged the previous summer, and where these animals had suffered severely from its effects. In a case of his own, twenty out of twenty-one cattle had recovered, if the inspector who examined the animals had given a correct opinion. One died, as the inspector insisted most strenuously, of cattle plague; and though others were also seized, they all recovered. He concurred in believing that some discretion ought to be given to the local authorities.

EARL SPENCER desired to make one or two remarks upon the principle of slaughter. It was true that cases of recovery were frequently reported, and in some instances they were said to have been as high as 90 per cent; but he thought that every one ought to be extremely careful in deciding upon individual cases—they must take the percentage of disease over the whole country. In some districts the disease had assumed a mild form; and even in districts where the infection had raged very violently large percentages of recoveries had, in individual instances, been reported; but the experience of men eminent in medical as well as veterinary science had shown that in England, and throughout Europe, of the total of those attacked, but few recovered. In England, Scotland, and Wales they amounted, he believed, to 10 per cent. He did not, therefore, think it would be wise to sacrifice the salvation of the country, as regarded the cattle plague, to a delusive hope of successful treatment. Without the principle embodied in the clause under discussion, the Bill would, in his opinion, be entirely inoperative. The Amendment moved by his noble Friend would take out the whole pith and essence of the clause. They were not legislating for the particular owners of cattle, who would be placed under great disadvantage and inconvenience if cattle were slaughtered, which from the fact of their having recovered from the cattle plague were more valuable than before; but they were legislating for the general good of the public. Those cattle had the seeds of disease about them, and if allowed to remain alive would probably convey the infection to their neighbours' stock. Then, again, how were they to define what a convalescent animal was? Experience had shown that many animals after partially recovering from the disease had relapsed and died, and animals ought not to be allowed to remain alive to the probable injury of the cattle in the neighbourhood, because some local inspector or veterinary surgeon happened to possess great confidence in his own skill. Even if they thought that convalescent animals might be allowed to live, the very difficulty of defining what a convalescent animal was, should, in his opinion, induce the Government to insist upon the clause in its original form.

Viscount MELVILLE said, he could not concur with the principle of compulsory slaughter, although he could understand that of compulsory isolation. The cholera was shown to be atmospheric, and it had yet to be proved that the rinderpest did not partake of the same character. He thought, therefore, that the clause was an exceedingly harsh one, especially since many credible cures had already been effected.

The Duke of ARGYLL said, that the Amendment before their Lordships was in reality the only important one which had been moved that evening, and in the discussion which had occupied their Lordships' attention they had had a specimen of what the noble Earl (the Earl of Derby) on the first night of the Session had called a "chorus" upon the conduct of the Government. The noble Earl said there was a perfect "chorus" of voices condemning the conduct of the Government with respect to the cattle plague, and the specimen they had that evening showed that any course which the Government might have adopted would have met with similar treatment. He could only hope that those to whom the harmonies of sound were agreeable were pleased with the performance. The clause under the discussion of the House was of an extremely stringent—he might say, violent character. If it were proved as a matter of certainty that the disease could not be cured, then the course recommended in the clause would be the only rational one. But he believed it to be the unquestionable fact that in some districts, and in Forfarshire and Renfrewshire especially, a very considerable proportion of the cattle attacked by the disease were saved; and, such being the case, he could not bring his mind to vote in favour of a clause under which an animal on the point of convalescence might be slaughtered by the order of an inspector. It might be said that, after all, this was a Bill which would only remain in force for five weeks; but in that time the whole of the cattle in the kingdom might be slaughtered; and, therefore, he thought that a certain amount of discretion should be left to the local authorities, as it was unreasonable that animals should be killed when convalescent. He had seen a letter in one of the newspapers that morning from a very eminent man in which it was pointed out that with regard to epidemics of this kind, whether attacking man or beast, it was almost a general law that after a certain time, and after they have run a certain course, their violence and their virulence diminished, and they became more amenable to curative measures. At the present moment, in some parts of the country, the disease appeared to him to be entering into this mitigated stage, and in many counties was neither so prevalent nor so virulent as it had been. Yet by this clause it was enacted that all animals, however mildly attacked, and however great might be their chance of recovering, were to be at once killed. He agreed with the noble Lord (Lord Stanley of Alderley) that the animals which recovered were more valuable than they were before they had had the disease, and, therefore, the wrong would be greater to kill those which were likely to be cured. He could only repeat the remark he had made on the first night of the Session, that some discretion should be given to the local authorities in the matter.

The Earl of DERBY said, he was afraid the noble Duke's fine ear for harmony must be somewhat jarred upon on the present occasion, as the course of proceeding he had adopted was almost unprecedented with regard to a Government measure. The House was called upon at twelve hours' notice to consider the provisions of a Bill upon which the Government implored them to abstain from introducing any Amendments whatever, as they were desirous of passing it without discussion and without delay; and then one if not two Members of the Cabinet avowed their intention of opposing this most important clause. He had come down to that House willing and anxious to support Her Majesty's Government in carrying the Bill as it was passed by the House of Commons; but he could not sanction such a material alteration in the principle of the Bill as it was now proposed to effect.

The Duke of RICHMOND said, after the remarks that had fallen from the noble Duke opposite (the Duke of Argyll), he must ask whether this Bill was brought forward upon the authority of Her Majesty's Government or not?

Earl GRANVILLE said, he had to state, in reply to the noble Earl who had acted so efficiently as the whipper-in of the Cabinet, that this Bill was brought in under the authority of the Government; but, as there was a general understanding that all party feeling was to be avoided in discussing the question, he could not prevent the noble Lords behind him from differing in their opinions any more than the noble Earl had been able to enforce a unanimous opinion among the noble Lords opposite.

The Earl of DERBY reminded the noble Earl that there was a great difference between views which might be expressed by independent Members, in whose hands the Bill had only just been placed, and those of Members of the Cabinet, who had had ample time to consider the question in all its bearings.

On Question? their Lordships *divided*:—Contents 16; Not-Contents 52: Majority 36.

Resolved in the *Negative*.

Clause *agreed to.*

CONTENTS:

Airlie, E. [*Teller.*]
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ellenborough, E.
Leven and Melville, E.
Selkirk, E.
Verulam, E.

Melville, V. [*Teller.*]
Torrington, V.

Chaworth, L. (*E. Meath.*)
De Tabley, L.
Hatherton, L.
Kenyon, L.
Lyveden, L.
Panmure, L. (*E. Dalhousie.*)
Sundridge, L. (*D. Argyll.*)
Walsingham, L.

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Buckingham and Chandos, D.
Devonshire, D.
Grafton, D.
Richmond, D.
Somerset, D.

Exeter, M.
Salisbury, M.

Albemarle, E.
Cadogan, E.
Carnarvon, E.
Cathcart, E.
Clarendon, E.
Cowper, E.
Dartmouth, E.
De Grey, E.
Derby, E.
Devon, E.
Ducie, E.
Granville, E.
Hardwicke, E.
Harrowby, E.
Lichfield, E.
Malmesbury, E.
Mansfield, E.
Spencer, E.
Stanhope, E.
Strange, E. (*D. Athol.*)

Winchilsea and Nottingham, E.

Hawarden, V.

Abinger, L.
Bateman, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Chelmsford, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Colville of Culross, L.
Congleton, L.
Egerton, L.
Feversham, L.
Foley, L. [*Teller.*]
Houghton, L.
Monson, L.
Northbrook, L.
Polwarth, L.
Ponsonby, L. (*E. Bessborough.* [*Teller.*]
Redesdale, L.
Seymour, L. (*E. St. Maur.*)
Sondes, L.
Southampton, L.
Truro, L.
Vivian, L.

Clause 13 (Burial of diseased Animals).

The Marquess of BATH proposed an Amendment prohibiting cattle slaughtered under the Act from being buried within the limits of large towns. He understood that the soil of Liverpool was so rocky that there would be great difficulty in burying the slaughtered animals within the town, and in any case such a practice would be detrimental to the health of the inhabitants.

After short discussion,

Clause *agreed to.*

Clause 14 (Purification of sheds, &c., of diseased Animals).

THE MARQUESS OF BATH inquired, whether it was intended by Government to issue any code of regulations by which the local authorities throughout the country might be guided as to the work of disinfection?

EARL GRANVILLE had no doubt the local authorities would adopt the proper regulations for carrying out the Act.

THE MARQUESS OF BATH thought the regulations to be adopted would require to be framed with scientific knowledge.

EARL GRANVILLE said, that some valuable suggestions on this subject were embodied in a paper appended to the first Report of the Royal Commission on the cattle plague.

EARL SPENCER considered it desirable that regulations should be framed for the local authorities, in order to enable them to carry out the system of disinfection on a uniform system.

EARL GRANVILLE would refer the noble Earl to the Report which had been drawn up on that subject by Dr. Lyon Playfair.

Clause *agreed to.*

Clause 15 (Slaughter of cattle herded with diseased Animals).

LORD WALSINGHAM expressed his belief that this provision was entirely unnecessary, and would tend to destroy those herds which had given a reputation to the cattle of this country throughout the world. A case had come under his knowledge of an inspector, educated at the London Veterinary College, being called in by a farmer, and pronouncing that an animal had got the plague; but a different view prevailed with the farmers, the animal was put under proper treatment, and recovered, and no other animal had the disease. Under this Bill the whole herd might have been destroyed by the order of the inspector. He moved the omission of the clause.

LORD FEVERSHAM supported the Amendment.

LORD HOUGHTON, while admitting that this was a revolutionary measure, could not draw a distinction between that clause and the one preceding it. Both were enactments oppressive to individuals, and they would only be justified by a great emergency such as that which at present existed. There was no fear of the local authorities abusing the power given to them under this clause, for they would not be desirous of increasing the rate.

THE EARL OF HARDWICKE thought it very hard upon the farmer that when healthy fat cattle were slaughtered by the order of an inspector, he should not be allowed to send them to market instead of receiving only a part of their value.

THE EARL OF DERBY reminded his noble Friend that the slaughter was not to be at the discretion of the inspector, but of the local authorities, and as they would have to bear their share of the loss, they would not unnecessarily increase the amount. There was a provision made which would meet the case to which his noble Friend referred, for it gave the farmer the option of taking three-fourths of the value, or taking the responsibility of sending the carcase up to the butcher. If they were to deal with the question by stringent regulations, they must endeavour to make the regulations as stringent as possible.

Amendment *withdrawn.*

Clause *agreed to.*

Clause 16 *agreed to.*

Clause 17 (Regulations as to movement of Cattle).

LORD WALSINGHAM did not see why the prohibition of the carriage of cattle by railway should not also apply to sheep. Whether sheep took the disease or not was a moot question, but there was no doubt it might be conveyed in their wool.

Clause 18.

In reply to The Earl of DALHOUSIE,

EARL GRANVILLE stated that the payment of the inspectors would fall on the local rates.

Clause *agreed to.*

Clauses 19 and 20 *agreed to.*

Clause 21 (Mode of levying and recovering Assessments of Cattle).

THE DUKE OF BUCCLEUCH presented two petitions from towns in Scotland, stating that the words "lands and heritages" would include heritages in town as well as in country, and praying for an Amendment in favour of towns. His own opinion being that the calamity was a national one, he thought the towns as well as the counties should contribute to the rate to be levied under the Bill.

Clause *agreed to.*

Clauses 22 to 33 *agreed to.*

Clause 34, Clause D (Continuance of Act).

The Earl of CARNARVON suggested that the wording as well as the working of the clause would be improved by the substitution for the words "it shall be lawful for Her Majesty in Council" of the words "it shall be lawful for any two or more of the Lords of the Privy Council." There might be difficulty in procuring the immediate attendance of more than two or three Members of the Privy Council at any particular time, and the above words were in conformity with the Act of 1848.

Earl GRANVILLE agreed with the noble Earl that the alteration would be very desirable; but as the Bill—with the generous co-operation of noble Lords on the opposite side of the House—had passed through so far without Amendments it would not be worth while, he thought, for the sake of a verbal improvement, merely to delay the final adoption of the measure.

Clause ordered to stand part of the Bill.

On Question that the Schedule be agreed to,

The Duke of BUCCLEUCH objected to the constitution into separate local authorities in Scotland of burghs which return or contribute to return a Member to Parliament. In the county of Ayr there were five such burghs, in Dumfries five, and in Elgin six. Of some of these places the population was exceedingly small; in one case there were only 568 persons in all, of whom but 23 were voters.

Earl GRANVILLE regretted that the noble Duke who was so well acquainted with the local matters referred to was not at the moment in his place. The point, however, he thought was a small one, remembering that the House had not rejected or altered any of the provisions of the Bill.

The Duke of BUCCLEUCH differed from the noble Earl. He thought the point one of considerable importance.

The Earl of LICHFIELD called attention to a suggestion put forward, among others, by the local authorities of Liverpool, to the effect that permission should be given, where desirable, to dispose of the carcases of diseased animals by other modes than that of burial.

Earl GRANVILLE thought that during the four or five weeks the Bill would be in operation, no real inconvenience could result from enforcing the process of burial, whereas experiments on the subject might be attended with serious consequences.

The Earl of DERBY said, the clause relating to burial had been adopted, and the discussion accordingly was somewhat irregular. At the same time it might be worth mentioning, with a view to future legislation on the subject, that there were many districts in England, lying upon sandstone rock or gravelly soil, where it would be simply impossible to bury the animals as required by the Act "with not less than 6 feet of earth."

Schedule *agreed to.*

Clause 10 (Power of Entry for Inspectors, &c.).

The Earl of LICHFIELD said, he felt bound to press the following Amendment:—

> "Provided always, that such inspector shall, if required, before entering state in writing the grounds on which he proposes to enter the said premises."

After ("required") moved to insert ("before entering.")—(*The Earl of Lichfield.*)

On Question? their Lordships *divided:*—Contents 21; Not-Contents 22: Majority 1:—*Resolved* in the *Negative.*

Clause *agreed to.*

Bill *reported,* without Amendment, and read 3^a and *passed.*

CONTENTS.

Buckingham and Chandos, D.
Grafton, D.

Airlie, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Hardwicke, E.
Leven and Melville, E.
Lichfield, E. [*Teller.*]
Mansfield, E.
Minto, E.
Selkirk, E.

Strange, E. (*D. Athol.*)
Hawarden.
Melville, V.

Abinger L.
Bateman, L. [*Teller.*]
Colville of Culross, L.
Egerton, L.
Panmure, L. (*E. Dalhousie.*)
Polwarth, L.
Southampton, L.
Walsingham, L.

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Richmond, D.
Somerset, D.

Bath, M.
Salisbury, M.

Albermarle, E. [*Teller.*]
Carnarvon, E.
Cathcart, E.
Clarendon, E.
De Grey, E.
Granville, E.

Spencer, E.

Belper, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Congleton, L.
Foley, L. [*Teller.*]
Monson, L.
Overstone, L.
Redesdale, L.
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Vivian, L.

TELEGRAPH ACT AMENDMENT BILL [H.L.]

Order of the Day for the Second Reading and for Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with, and the Lords Summoned, read: *Moved,* That the Bill be now read 2ª; *agreed to;* Bill read 2ª accordingly; Standing Orders Nos. 37 and 38 *considered,* and *dispensed with;* Committee *negatived;* Bill read 3ª; Amendments made; Bill *passed,* and sent to the Commons.

LAW OF EVIDENCE AMENDMENT BILL [H.L.]

A Bill further to amend the Law of Evidence: And also,

DIVORCE AND MATRIMONIAL CAUSES BILL [H.L.]

A Bill further to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes: Were *presented* by The LORD CHANCELLOR; read 1ª. (Nos. 16 and 17.)

House adjourned at Nine o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, February 19, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Telegraph Act Amendment [*Lords*]* [23].

Committee — Cattle Plague (*re-comm.*) [7] [R.P.]; National Debt Reduction* [4]; Savings Banks and Post Office Savings Banks* [5].

Report—National Debt Reduction* [4]; Savings Banks and Post Office Savings Banks* [5].

RAILWAY DEBENTURES REGISTRATION.—QUESTION.

MR. THOMSON HANKEY said, the Question which he was about to put arose from the fact that considerable alarm had been excited among the holders of debentures in consequence of some remarks which had been made at railway meetings to the effect that those bonds had been issued by railway companies in excess of their Parliamentary powers. He therefore wished to ask the President of the Board of Trade, Whether he intends to propose any measure this Session for the registration of debentures issued by Railway Companies, with the view of enabling debenture holders or lenders of money on debentures to ascertain whether the Companies are in a position legally to issue such debentures?

MR. MILNER GIBSON: The subject to which the Question of his hon. Friend related has been considered, and a measure is in course of preparation for the purpose of giving security to the public that the statutory debentures issued by Railway Companies do not exceed the limits of the borrowing powers which such Companies are entitled to exercise under their Acts of Parliament.

DIRECTOR OF THE NATIONAL GALLERY.—QUESTION.

VISCOUNT COURTENAY, in the absence of Lord Henry Lennox, asked Mr. Chancellor of the Exchequer, Whether Mr. Boxall, R.A., has been appointed to the post of Director of the National Gallery, in the place of the late Sir Charles Eastlake; and, if so, whether any and what alterations have been made in the relations existing between that officer and Her Majesty's Government?

THE CHANCELLOR OF THE EXCHEQUER said, in answering the Question just put to him he might also reply to another Question of which notice had been given. Mr. Boxall had been appointed to the office of Director of the National Gatlery in place of the late Sir Charles Eastlake, and his relations to the Treasury were regulated by a Minute passed some years ago, which Minute had not undergone any alteration. Before advising the appointment of Mr. Boxall, his noble Friend at the head of the Government applied to those Trustees who took an active part in the administration of the National Gallery, and saw Lord Overstone and Mr. Russell, and took their advice. In making choice of Mr. Boxall, the noble Lord had been guided simply by a desire to obtain the most efficient man. He did not proceed upon the idea of creating any precedent or establishing any rule that the Director of the National Gallery must necessarily be a painter or an artist. No rule of that kind had been established; nor should any such rule be adopted, inasmuch as the appointment ought to be conferred solely according to the qualities and attainments of the individual, and not because of the profession he happened to pursue. Perhaps his noble Friend would like him also to state that in making the appointment he had reason to know that it was one which would have been recommended and was desired by the late deeply lamented Director of the National Gallery, Sir Charles Eastlake.

MR. HENRY SEYMOUR asked, whether the appointment was for a period of years or for life?

THE CHANCELLOR OF THE EXCHEQUER believed that the Minute of the Treasury directed that the appointment should be made for five years.

SEA FISHERIES COMMISSION.

QUESTION.

MR. E. CRAUFURD asked the Lord Advocate, Whether it is his intention to introduce any Bill during the present Session founded on the recommendations contained in the Report of the Sea Fisheries Commission?

THE LORD ADVOCATE said, that the Report referred to a matter of very great importance, and one involving large interests. It had, however, been but a short time in the hands of the Government. He was, therefore, unable to say at present what course the Government would take in respect to it in the present Session.

CATTLE STATISTICS.—QUESTION.

COLONEL WILSON PATTEN asked the President of the Board of Trade, When he will be able to lay upon the table of the House information with respect to the number of cattle in the United Kingdom? He also wished to know whether the Government intended to call for those Returns periodically or not?

MR. MILNER GIBSON said, the Returns of the number of cattle in the different parishes of Great Britain would be made by the 5th of March next, by the occupiers of land and others. No time would be lost in making up the aggregate Returns, and it was expected that they might be laid on the table immediately after the Easter recess. Those Returns were voluntary; but from the favourable disposition that had been evinced by magistrates, Boards of Guardians, and other local authorities, to co-operate with the Board of Trade in procuring those Returns, they might not unreasonably hope that the desired information would be satisfactorily obtained. With regard to the second Question, he would state that as the present attempt to obtain information was experimental, and until they had the test of experience, he would be unable to answer the inquiry.

COLONEL STUART asked, whether the whole of the cattle in the country would be included in the Returns?

MR. MILNER GIBSON replied, that the endeavour was being made to procure Returns relating to all the cattle in the country.

In reply to an hon. MEMBER behind the Ministerial Benches,

MR. MILNER GIBSON said, he did not think it would be convenient to add another column to the schedule that was about to be sent to the farmers throughout the country in order that information might be procured as to the number of cattle in the country on the 1st of September. Whether it would be desirable to have a separate Return for that purpose he could not say without further consideration.

CATTLE PLAGUE (IRELAND).

QUESTION.

MR. GREGORY asked, Whether it is the intention of the Government to introduce a Bill applicable to Ireland on the subject of the Cattle Disease?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, a Bill had been prepared on the subject, and had been sent to Ireland for approval. As soon as it had been submitted to the Lord Lieutenant it would be laid before the House.

THE HABEAS CORPUS SUSPENSION (IRELAND) ACT—THE ROYAL ASSENT —THE SITTING ON SUNDAY.

MR. MAINWARING: I wish to ask the Government, Why, when moments were so very precious, Her Majesty was not in London on Saturday to give the Royal Assent to the Bill for suspending the Habeas Corpus in Ireland?

THE CHANCELLOR OF THE EXCHEQUER: I think a short statement of the facts of the case will be the best answer to the Question put by the hon. Member, and will show that there are no grounds out of which any occasion for an inquiry of this nature could arise. A Cabinet Council was held on Friday, and it was late on the afternoon of that day that the Council determined to lay the Bill before the House at an early hour on Saturday. It happened that on Friday, the day on which the Council was held, Her Majesty was at Osborne.

MR. DARBY GRIFFITH wished to ask the right hon. Baronet the Home Secretary a Question upon a point of form, which was exciting considerable interest out of doors; whether, in point of fact, there was any illegality in the proceedings which took place on Sunday morning in the House of Lords; and, if so, if the Government were prepared to rectify it?

SIR GEORGE GREY: There was no illegality whatever in the matter. There is no law, Parliamentary or otherwise, to prevent the Houses of Parliament sitting on a Sunday when cases arise to render it necessary.

CATTLE PLAGUE BILL—[BILLS 7 & 24.]

COMMITTEE (ON RE-COMMITMENT.)

[The Bill having been *Committed*, *Re-committed*, and *Considered as Amended*, without having been *re-printed*, great difficulty has been experienced in following out the Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to*, with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 24.]

Bill *considered* in Committee (*on re-commitment.*)

On the Preamble,

MR. NEWDEGATE asked, whether the attention of the Government had been called to the claims of insurance companies for compensation for the sums paid by them to persons whose cattle had been slaughtered; and, if their attention had been drawn to the matter, whether they intended to introduce a clause giving such compensation?

THE CHANCELLOR OF THE EXCHEQUER said, that as far as he was aware, the attention of the Government had not been drawn to the matter. He was bound to say, without giving a conclusive answer on a subject with which he might be imperfectly acquainted, that he saw no grounds for thinking that insurance companies were entitled to any compensation for the sums paid by them to farmers whose cattle had died from the plague. The insurance companies paid for the cattle that had died, merely to make up the losses of the farmers, while the object of the Bill was not to compensate the persons who had suffered, but to check the progress of the disease.

MR. NEWDEGATE thought that the Chancellor of the Exchequer misunderstood the Question. What he wished to know

was whether the companies were to be compensated, not for the sums they had paid to persons whose cattle had died, but for the sums they had paid to persons whose cattle had been slaughtered by the cattle inspectors.

MR. HUNT rose to order. They were now on the Preamble, and there was nothing in the Bill before the Committee bearing on the subject introduced by the hon. Member for North Warwickshire (Mr. Newdegate). The matter was a very fitting one for discussion at the proper time.

MR. BARROW asked the hon. Member for Northamptonshire (Mr. Hunt), whether he could in conscience proceed with his Bill on that night. When he (Mr. Barrow) entered the House, he found on the paper two pages of Amendments which were to be moved on the clauses of the Bill. There was scarcely a clause in the Bill on which an Amendment was not to be moved. The printed Notices were only put into his hands at three o'clock that afternoon, and hon. Members had had no time to consider the Amendments. He therefore asked the hon. Member for Northamptonshire not to proceed with the Bill on that evening.

MR. HUNT said, it would be very much against his conscience not to proceed with the Bill. The Amendments were delivered with the printed papers that morning. Several important clauses of the Government Bill which passed last week were not printed at all, and he had grave doubts at the time whether he ought to have accepted them; but so anxious was he that the Bill should be sent as early as possible to the other House, that he refused to delay the Bill by forcing on the consideration of the Committee his own objections to them. The Committee was well aware of the great difficulty which an independent Member had with regard to such a complicated Bill; and he hoped, under the circumstances, that the Committee would extend to him its indulgence, and would not arrest the Bill on account of the objection raised by his hon. Friend.

MR. ACLAND expressed his thanks to the hon. Gentleman the Member for Northamptonshire (Mr. Hunt) for the great labour and attention he had devoted to this subject, and asked him to state what was the general scope of his proposed Amendments.

MR. HUNT said, his intention was to have reserved that statement until he came to the 13th clause; but he was in the hands of the Committee, and would either make his statement then, or delay it until he came to the 13th clause.

Mr. ACLAND said, that as the 5th clause raised a very important question with regard to the appointment of officers, he thought it would be better for the hon. Gentleman to make his statement at once.

Mr. HUNT said, that as it appeared to be the wish of the Committee he would proceed at once to state the general scope and object of his Bill. But first, he would take that opportunity of thanking hon. Gentlemen on both sides the House for the assistance they had given him, not only in the preparation of the Bill, but since its introduction. He had received suggestions on the subject of the Bill from Gentlemen of all parties, and representing every shade of opinion; and only the great difficulty of finding an opportunity for fully discussing the question with every Member who had communicated with him with reference to his Bill had prevented from giving every Gentleman that amount of time which the importance of the subject demanded. The principle of the Bill now under consideration was that adopted at the conference at St. James' Hall — namely, that for a certain space of time there should be no movement of cattle through Great Britain. That principle was also affirmed at that most important meeting recently held in the tea-room of the House, at which Members of both Houses were present, and at which both of the great political parties were about equally represented. Now, it was a very easy thing to assert as an abstract principle, that for a certain period all movement of cattle in Great Britain shall be stopped; but to carry that principle into action was very difficult indeed. He had introduced into his Bill—and it would be necessary to introduce into any Bill on the subject—certain exceptions to the general rule forbidding all transfer of cattle from one place to another. The Home Secretary stated, a few nights since, that it would be impossible to lay down any code of rules regulating the transfer of cattle which would be applicable to the requirements of every part of the country. He believed that to the rule laid down by the right hon. Gentleman there was one important exception. He believed that if any one of them were to sit down in his own library to frame such a code, however great his knowledge of agricultural matters might be, he could not possibly succeed. In the House of Commons, and in the House of Commons alone, it was possible to frame a satisfactory Bill, which, while laying down as a general rule that all movement of cattle should cease for a certain period, should point out the exceptional cases in which that rule might be safely dispensed with. That House contained Members representing not alone every part of the country, but almost every interest in the country. That these Members took an interest in the question was evinced by the fact that since he had introduced his Bill he had received communications from, he believed, half the Members of the House. The problem he had tried to solve was to lay down a code with regard to the removal of cattle sufficiently elastic for every county, and yet without a single exception beyond what was absolutely necessary for carrying on the business of breeding and rearing cattle. The principle he went upon was the total prohibition of the movement of stock for the longest time possible, and he came to the conclusion that the 25th of March was the furthest day up to which the absolute prohibition was practicable. He admitted, when he said "total prohibition of moving of cattle" that it would not be absolute prohibition, because there were certain exceptions. As the Bill was originally drawn, he provided that up to the 25th of March there should be no movement of live beasts upon any public highway, railway, river, canal, or any part of a river not navigated by sea-going vessels. The exceptions were, in the case of beasts moving from one part of any farm to another they might be moved along the highway for 200 yards only. Beasts landed from a sea-going steamer might travel 500 yards along the highway. Beasts travelling from the farm to the slaughterhouse might, provided there was a licence, traverse a distance along the highway not exceeding two miles. That was to be the state of things up to the 25th of March. Certain exceptions had, however, been suggested. The first was by his hon. and gallant Friend the Member for Berkshire (Colonel Loyd Lindsay), who said that there ought to be a power to remove calves from dairy farms on which they had been dropped to be reared on other farms. He proposed to meet this case by allowing newly dropped calves to be conveyed in carts from the farms where they were born. Although he thought it right to admit this exception, he doubted whether farmers would avail themselves of it to any large extent, because they would be shy of purchasing calves of the value of a few shillings that might convey the infection. A great deal of disease had been introduced upon farms by the practice of taking calves that people know nothing about. Two other exceptions had been suggested to him. The first was as to working oxen, employed in the cultivation of the soil. It was thought that the working of farms where oxen were employed could not go on unless an exception were made in their favour. The demand was reasonable; but he required that the oxen should be either drawing or in harness, and this would be some security that they were in health. Another exception would enable sea-going ships to get a milch cow on board. It was represented to him as highly important that children and others in emigrant ships should be able to obtain milk, and those who asked for this exception were willing to convey the cows to the place of embarkation at their own expense in covered carriages. To meet this case, he had inserted a clause excepting from the operation of the Act milch cows placed on board sea-going vessels. These were the only exceptions to be allowed up to the 25th of March. It had been represented to him—and he concurred in the representation—that the interval between the present period and the 25th of March did not allow sufficient time to operate on the disease—he did not say "to stamp it out" because, although if measures had been taken in time this might have been done, there were now so many centres of infection that all he could hope was that they might be able within a few weeks to get the plague within manageable compass and in time to extirpate it. From the 25th of March for a certain period it would be necessary there should be some further relaxation of the restrictions of the Bill. On that day, in some parts of the country, incoming tenants took possession of their farms; and in the 17th clause he proposed to allow upon certain days, at the usual time for change of tenancy in the Spring and Michaelmas quarters in England and Scotland, beasts, if sound, to be removed, with a magistrates' licence, along the highway. There were some tenancies which did not expire on the regular days; and therefore he had a proviso that that enactment should extend to any change of tenancy which was proved to the satisfaction of the justices granting a licence not to occur on the days aforesaid; and by an Amendment on the paper eleven days were allowed to the incoming and the outgoing occupiers to move their stock. It had been represented to him that sales might take place before the day of change of tenancy arose; but to obviate that difficulty he thought it would be merely necessary for parties to insert in the conditions of sale that the beasts, though sold on other days, should not be movable till they could be legally moved under the provisions of the Bill. In different parts of the country the grass began to grow during April and May, and it was absolutely necessary that the ox should be brought to the grass; but it seemed to be impossible to lay down the period, if it was to be a short period, when the movement of stock for eating such grass should be allowed. He therefore provided that the local authorities—and this was about the only discretion he gave them—might, with reference to their districts, prescribe the particular days on which such stock should be moved. He did not give them a very wide latitude, because he proposed that those days should not exceed fourteen in each quarter. His Bill, if passed, might continue in force until the end of the Session of Parliament next following the present one; but after the end of April the Government would have the power to stop its operation on their responsibility if they thought fit. Supposing, however, that the Bill should not be discontinued by Order in Council, then it would remain in force. Then he provided that there should be fourteen days of movement for the purpose of stocking farms, the period to be fixed by the local authorities in each case. But a question had only the other day turned up which was familiar to Scotch, though not, perhaps, to English Members—he meant as to grass-parks. The letting of grass-parks appeared to be much the same as that which in his county was called grass-keeping. At a certain period of the year, for so many weeks, grass-keeping was let by the owners or occupiers of farms by auction or contract, and the person who hired it was allowed to turn any amount of stock into that pasture. It had been suggested to him that a man might want to shift his stock from a grass-park oftener than could be done in fourteen consecutive days. He therefore provided that the local authorities, instead of allowing movement for fourteen days consecutively in a quarter, might divide the fourteen days into two periods of seven days each to suit the grass-park owners. He put this restriction on the movement of cattle from one end of Great Britain to the other for stocking farms even within those days: he did not allow them to come by road through the conutry; he required that they should travel by railroad except in the counties in which they started and in which they arrived. The Committee would recollect that he made a great point of stopping movement by railway up to the 25th of March, and what he proposed now was not inconsistent with what he had insisted upon in regard to the other Bill, because, according to the clause respecting railway trucks, by the 25th of March every such truck would be cleansed and disinfected under official superintendence; and he looked to the Government to see that that was done. If, therefore, his Bill passed and was carried out, on the 25th of March they would start with every cattle truck on every railway in Great Britain cleansed and disinfected; and then there would be no danger in allowing animals, as soon as the grass began to grow, to travel by railway. He next came to the vexed question of the relaxation for the purpose of breeding. Many persons had been anxious that the relaxation for breeding should find its place among the earlier exceptions—namely, those to take effect before the 25th of March. That proposal he had strenuously resisted. By the Bill already sent up to the other House, all animals affected by the cattle plague were to be compulsorily slaughtered, and all animals that had been so exposed to infection as in the judgment of the local authorities to be likely to have the disease were also to be slaughtered. But, so late were they with their legislation, that they would not get two periods of what was called by veterinary surgeons the "incubation of the disease" before the 25th of March. An animal might have caught the disease fourteen days before it showed itself. After being sold it might communicate it to the other animals in a yard; and thus they would want another fourteen days before they could tell whether the last named animals were not also infected. He thought it would be undesirable, therefore, to grant a relaxation in favour of movement for breeding purposes before the 25th of March. At that period of the year most cows were in calf, and such a relaxation was not so absolutely necessary in most parts of the country as at a later time. Again, the owners of bulls in every county where the cattle plague existed had of themselves interdicted all comers; and in his own county he could say that such a relaxation would be entirely nugatory. A relaxation for that purpose involved a double danger, because there would be not only the removal of the one animal from the premises it had occupied, and which might be infected, but, on the other hand, though it were perfectly sound, the premises to which it was taken might be infected. Therefore, a licence of that kind would be attended with greater risk of spreading the disease than any other, because most of the other licences under the Bill were for animals to go away and never to come back, whereas this particular licence implied the return of the animals. He had made the provision with regard to breeding the same as in his original draught of the Bill; but it had been suggested to him that it would be safer to extend that provision to the male animals, because many persons being wholly unable to meet their requirements, owing to the restrictions, would rather purchase a male animal than run the risk of sending their cows about. Therefore, since the introduction of his Bill, he had prepared a provision allowing a bull to be moved a distance not exceeding twenty miles to any place where cows were kept. He had now gone through the exceptions which he thought absolutely necessary after the 25th of March. But he must remind the Committee that when the period of relaxation with regard to the change of tenancy and the relaxation allowed for the purpose of stocking farms were at an end, the Act would close up again, and its stringent provisions would be once more in force, so that no movement of cattle would then be permitted, save under those exceptions which he had referred to under the head of movement up to the 25th of March. For the sake of clearness, then, he would state that he proposed that the Bill should be in force at all events up to the end of April, and that after that date the Government should have power by Order in Council to discontinue the operation of the Bill, if they deemed it wholly unnecessary, or found it to impose insuperable difficulties upon the carrying on of business. That the Government could do either on their own responsibility, or if Parliament was sitting they could relieve themselves of responsibility by asking for its opinion on the subject. He should, in conclusion, be happy to afford any other explanations which the Committee might desire.

Mr. ACLAND thanked the hon. Gentleman for the explanation he had given of the Bill. As he understood the principle of the Bill it was that one uniform system was to be laid down for the whole of England and Scotland during the existence of the cattle plague; next they had to consider five exceptions which were to qualify the general prohibition of movement before the 25th of March; and then they had a class of exceptions which were to come into operation after that date. He thought that, in one sense, the hon. Gentleman had rendered a very great public service in sketching out a sort of skeleton measure which might be left to the local authorities to clothe with flesh and blood; but the mistake he had committed in his Bill was that it endeavoured to establish an uniform system where uniformity was manifestly impracticable. There was not the slightest distinction made in the Bill between infected and uninfected districts; and the practical consequence was that, as the hon. Member was determined in theory to have a uniform system, his measure, while it would be too stringent for the healthy districts, was not half stringent enough for the infected districts. The hon. Gentleman was therefore obliged to cover the whole of Wales, a large part of Scotland, and considerable portions of the south of England with a web and network of exceptions nearly as complicated and difficult to be understood as if the quarter sessions of each county were allowed to make its own set of regulations. Up to the 25th of March cattle were to be prohibited from moving, except within the limits of a farm, unless it happened to be crossed by a road, then they might be moved along that road for 200 yards only. He must say he thought 200 yards a great deal too much. If there was danger in their going on the road at all, the utmost that should be allowed without a licence or certificate from competent authorities locally interested was removal to the homestead or from one field to another. A movement for 200 yards might be quite enough to do all the mischief which the hon. Gentleman was anxious to prevent. Again, the hon. Member proposed to permit imported cattle to go 500 yards from a ship in any port to any place for slaughter. Was that founded on a practical investigation of the necessities of the case, or merely a random guess? His own belief was that there were many ports where 500 yards might be more, and others where it would be less than was wanted. Another clause allowed a movement of two miles to a place of slaughter. Would that be enough in the case of the metropolis, in that of Liverpool, or that of Bristol? Certainly these provisions ought to be based on practical facts, and he objected altogether to the drawing of mere arbitrary lines in such a matter. Again, he could not understand the precise reason why the hon. Gentleman meant to give to most parts of England fourteen days of licence and liberty to do almost what they pleased. ["No!"] That at least was his reading of the Bill. Recollecting the very large majority by which the hon. Gentleman had beaten the Government on the question of the removal of cattle by railway, he was much surprised to find the House about to be landed on a positive rule that cattle should go by railway and not otherwise. It seemed to him that the proper course would be to allow no removal at all except by licence. Then if they laid down the general principle that when the disease was in any part of Great Britain the presumption should be that cattle must only move by licence, Parliament should prescribe the nature of that licence, and in general terms the conditions on which it was granted; and then they would require some discretionary power to be vested in some authority to abolish the licences or suspend them for a limited time until it was found that they might be safely used. In certain districts where the plague raged he thought such stringent measures would be required that no man should be allowed to move his cattle beyond his own hedges, nor to cross a highway at all. They had large parts of England which for practical purposes were perfectly healthy; but if they were determined that, rightly or wrongly, no beast should be taken there by rail, they ought to take care that they did not set the people of the locality, whose help they wanted, against them and induce them to evade the law. Some discretion should be vested in the local authorities; and in certain cases it would be better that they should report to the Secretary of State. He thought, too, that the Secretary of State, acting upon evidence reported to him by persons cognizant of the facts, should have power to take away this power of licence altogether in particular districts. There should be some means of intercourse between the breeding and feeding districts; but in the present measure there was no adequate provision for that, although it had been provided for by the Joint Committees under the other Government Bill. With regard to the licences, it was rather a question of detail than of principle; but it was a matter of importance that the licences should be given by men of responsibility. The plan which the hon. Member proposed was to vest this responsibility in practical men to be chosen locally; so far good, but he thought the object in view would be altogether defeated by requiring the appointment of a cattle overseer for every parish, for there were many parishes which could not furnish fit men, and two or more small parishes might be placed under one officer. He would suggest that the clause should be altered, so as to provide that, at the discretion of the local authorities, cattle overseers should be selected either by Boards of Guardians, by highway boards, or by the cattle plague committees of quarter sessions. He thanked the House for allowing him to state the general principles on which he should be disposed to discuss the details of the Bill, with a view to adapt it to local circumstances.

MR. GATHORNE HARDY hoped that they would be allowed to get to work at once upon the Bill, for many remarks that had been made would have to be made over again when they came to the appropriate clauses.

MR. BARROW said, that the Bill was read a second time without an opportunity being afforded for discussion, and therefore he thought there was some justification for making a few observations on its principle on the present occasion. To that principle he was opposed. Fidelity to his constituents, who preferred the Government Bill before this, required him to remove to some extent the impression produced by the alleged unanimity of the two great meetings. That at St. James' Hall was addressed by speakers who went to support a particular view, but the majority of the meeting did not vote for the resolutions; while the third Resolution passed by the meeting in the tea-room of the House affirmed that it ought to be permitted to remove cattle from one district to another in districts which were declared to be free from infection. To prohibit the removal of cattle 100 yards along the highway, or along an occupation road from one field to another in the same holding, would be to carry a principle to an extravagant excess, and to enact a law which could not be enforced. It would be better to leave such regulations, and the proclamation of infected districts, to the local authorities. His constituents had declared that they preferred the Bill of the Government to that of the hon. Gentleman.

Preamble *postponed.*

Clause 1 *agreed to.* [*cl.* I.]

Clause 2 (Extent of Act). [*cl.* 2.]

MR. BOUVERIE observed, that in looking through the Bill he found that the whole of the machinery which it provided was to be purely English machinery, not at all adapted to Scotland, to which country, also, it was intended that the measure should apply. That was a defect which ought, he thought, to be obviated.

SIR JAMES FERGUSSON could assure the right hon. Gentleman that Scotch interests were being carefully attended to by the promoters of the Bill, who were anxious at every stage to adapt it to the means of making its provisions available in Scotland.

Clause *agreed to.*

Clause 3 (Interpretation), and Clause 4 (What Beasts to be deemed sound, and what diseased), *postponed.*

Clause 5 (Guardians of Poor to appoint Cattle Overseers).

MR. DENT objected to the appointment of overseers under its operation by the guardians of the poor, contending that their duties, though not exactly the same, would clash with those discharged by officers nominated under the Government Bill by the local authority. He should therefore move the omission from the clause of the words "guardians of the poor for each union, parish, or township," and the insertion of the words "local authority" instead.

MR. HUNT said, the words "cattle overseers" were in the Government Bill originally, and, although they had in its passage through the House been struck out of it, he could not help thinking it desirable they should be retained in the present measure. The guardians of the poor, by whom it was proposed that the cattle overseers should be appointed, were an elective body in whom the farmers had confidence. He had asked several farmers whether they would be satisfied with overseers so nominated, and their answer was "entirely." "The local authority," he might add, consisted of the magistrates met in quarter sessions, and who, not being so well acquainted with the farmers, would not be likely to make a selection pleasing to them as the guardians of the poor. It was advisable, therefore, he thought, that the clause should remain as it stood. He should have prepared Amendments to meet the case of Scotland, but that he had been informed by the Lord Advocate that he would take that task upon himself. If those Amendments were not already prepared, they might be brought up on the Report.

Sir HARRY VERNEY said, that if the Bill passed in its present shape, there would be in some unions a greater number of overseers than would be required, while in others the number would not be sufficient.

Sir ANDREW AGNEW was understood to say that it would be found very inconvenient to assemble the Poor Law Guardians in Scotland.

Mr. SCLATER-BOOTH thought it was desirable that the local authority should be invested with the execution of the provisions of the Bill, otherwise it would clash with the Government measure.

Mr. OWEN STANLEY thought the Bill bore evidence that the hon. Member for Northamptonshire sought to legislate rather for the central counties of England than for the whole country as well as for Scotland. For his own part, he had a strong objection to the appointment of overseers being vested in the guardians of the poor. The magistrates were, in his opinion, the best persons to whom to intrust the power.

Sir GEORGE GREY said, the discussion which had taken place showed how great the difficulty was of framing regulations applicable to the whole country. It was quite impossible, he maintained, that the clause as it stood could be worked in the North of England. In his own immediate neighbourhood, for instance, there were half-a-dozen different parishes in which there was only one rated occupier who must necessarily, if the Bill passed in its present shape, be a cattle overseer—and give certificates for his own cattle. If the hon. Gentleman looked at the 9th clause he would find that every local authority could appoint as many inspectors "and other officers" as might be necessary. In his opinion it would be much better to trust to the officers appointed by the local authorities to carry out this duty, instead of appointing cattle overseers. The clause clashed with the provisions of Clause 21, and the objections to it in its present form were, in his opinion, quite insuperable.

Mr. HUNT said, he wished to have a security that the animals to be moved should be sound within the meaning of the Act, and he thought this could only be obtained by requiring from some persons connected with the locality a confirmation of the statement of the owners of the cattle. To expect that a mixed committee of farmers and magistrates, no one of whom might come from the immediate neighbourhood, could know whether or not there was disease on a particular farm, seemed preposterous. As, however, the Committee appeared to be against the clause, he would withdraw it, and the consequence would be that the licences would be granted on the mere word of the owners, who would have to go before a committee who might know nothing of particular cases brought before them.

Sir GEORGE GREY said, the clause would supersede the regulations made under the present Orders, by which licences were given by justices of the peace on the declaration of the owner and of farmers, who would know what was going on in their own neighbourhood.

Mr. HUNT said, he would consent to the clause being struck out, and he would confer with the right hon. Gentleman as to what should be inserted in its place with a view to obtain a confirmation of the declarations made by the owners of cattle.

Amendment *withdrawn.*

Clause *struck out.*

Clause 6 (Chief Constable in county to appoint additional Constables).

Sir GEORGE GREY said, that this and the three following clauses, which gave power to the chief constable of any county to appoint additional constables, were, in his opinion, altogether unnecessary. The police force of the several counties had already been temporarily increased with the sanction of the Secretary of State. He thought it would only complicate matters to pass this clause.

Mr. BANKS STANHOPE thought that extra police were required in order to prevent stock going along a road from coming into contact with cattle in fields near the road.

Sir ANDREW AGNEW was of opinion that the clauses would complicate the existing machinery.

Mr. HUNT said, that under this clause many persons could be appointed constables who could not be appointed under the provision alluded to by the right hon. Gentleman. As, however, his great object was to pass the clauses relating to the movement of cattle, and as the present clauses were likely to raise a discussion which would occasion the loss of valuable time, he would consent to withdraw the Clauses 6 to 11, both inclusive.

Clause *struck out.*

Clauses 7 to 15 *struck out.*

Clause 16 (Overseers to provide Slaughterhouses for Parish).

MR. CRAWFORD said, the clause required that on a requisition in writing from a certain number of ratepayers a slaughterhouse should be provided in each parish. This would lead to much inconvenience in the City of London, which comprised ninety-eight parishes, and he would therefore propose to add these words "with the consent of the local authorities."

MR. HENLEY said, he thought that some discretion should be allowed in this matter. The slaughterhouses might be required only for a couple of months. Every overseer would naturally call a vestry meeting and take the sense of the vestry upon it. He hoped, therefore, his hon. Friend would consent to add the words if "they think fit."

MR. HUNT said, he required the parish authorities to provide these slaughterhouses because he hoped they would become permanent. He contemplated a great change in the meat trade, which would make it necessary to have them permanent. He was quite willing to accept both Amendments, so that the clause would run thus, "With the consent of the local authorities, the overseers of the poor may, if they think fit," &c.

MR. BARING wished to ask the hon. Gentleman to consider the effect of this clause on the general state of the law relating to slaughterhouses all over England. At present considerable precautions were taken to prevent slaughterhouses from being erected in improper places, especially in the immediate vicinity of great towns and in the midst of large populations; but according to this clause, upon the requisition of three ratepayers, the overseers of the poor, with the consent of the mayor of a borough, might erect slaughterhouses without inquiry, without licence, and without enabling persons to state objections. Nor was the clause intended for a temporary purpose. On the contrary, his hon. Friend contemplated that the arrangement might become permanent. Therefore, by this clause his hon. Friend asked the House to make an alteration in the general law of the land—an alteration which would hardly be consistent with the due protection of the public. It should be recollected, too, that all this was to be done at the public expense, for these slaughterhouses were to be paid for out of the poor's rate.

MR. HUNT said, if his hon. Friend had cast his eye on the paper of Amendments he would have seen that he intended to propose a clause giving power to justices to license slaughterhouses.

SIR GEORGE GREY said, as he understood the Bill, two borough magistrates could be empowered to license these slaughterhouses. Parliament had endeavoured by recent legislation to prevent slaughterhouses from being used in populous places; but this Bill would give the local authorities an opportunity of saying that they had the sanction of Parliament to do so, and they could grant a licence contrary to the course of the general legislation of that House. He thought the better plan would be to postpone any legislation on the subject for the present.

MR. AYRTON trusted the hon. Gentleman would consent to strike out the clause. In the first place, it had been reduced to a permissive clause. ["No!"] Well, then, it was equivocal if not permissive. He would beg to point out to the hon. Gentleman that these slaughterhouses were to be paid for and maintained for all time hereafter out of the poor rates. Now, that gave rise to a very important question—namely, whether any class in the community were entitled to have their business carried on at the expense of the public. He could not conceive why any person interested in the slaughter of cattle should get that business done at the expense of the poor rates. On what ground could they call on the parishioners out of the rates to pay for this particular business?

MR. LIDDELL said, that in many farms there were neither places to slaughter cattle in, nor persons who knew how to slaughter them.

VISCOUNT CRANBOURNE said, the question of slaughtering cattle was beset with difficulties, one of which was that of providing a skilled slaughterer; while another was the difficulty of finding land upon which slaughterhouses could be built; and neither of these was met by the clause, which simply provided the funds for building slaughterhouses. He imagined that the demand for beef would soon be very great; and as the price would probably rise considerably, the butchers would be well able to pay for the requisite accommodation.

Mr. LOCKE KING said, that by the clause as it now stood, these farmers could procure the erection of a slaughterhouse. He thought that the vestry ought, as it should bear the expense, be the body authorized to erect or hire the slaughterhouses.

Mr. BANKS STANHOPE supported the clause, which was intended solely for the benefit of the consumers, and would confer no benefit on the producers. He had no doubt that on large farms the necessary appliances for slaughtering a beast were always to be found; but this was not the case in small farms, and there were some parishes in which there were very few large farms.

Mr. OWEN STANLEY said, it was both difficult and dangerous to slaughter a beast on any farm where cattle were fatting. If fat cattle smelt the blood of a slaughtered beast it would throw them off their feed for a long time.

Mr. HUNT said, he concurred in the statement that there might not be much difficulty in the case of large farms; but it might be convenient for the owners of a few beasts in a parish to have a parish slaughterhouse provided. There was a difficulty in some cases in killing beasts upon a farm, and if the clause were rejected it would come to this—that fat cattle would have to be moved along the high roads to places where they could be slaughtered. It had been decided by the House that cattle should not be moved along railroads, and it was thought desirable that the greatest restrictions should be placed on the movement of cattle on roads. He had, therefore, proposed the clause now under discussion, and he feared that if the clause were struck out, the principle involved in the Bill would in effect be defeated. He was willing to accede to the suggestions that the vestries should be consulted, and that the consent of the local authorities should be obtained.

Mr. ALDERMAN SALOMONS complained that the clause was drawn up from too narrow a view of the state of the country.

Lord ROBERT MONTAGU said, that the clause would make it possible for a couple of ratepayers—a mason and a carpenter—to apply for leave to provide a slaughterhouse. If the slaughterhouses were to be erected for the benefit of the small farmers, they could afford to pay for them; and if they were not for the benefit of the small farmers, but of the consumers, it seemed hardly fair that the former should have their rates increased for such an object.

Viscount Cranbourne

Lord ELCHO said, that the poor rates in many districts were already so heavy that it was not desirable to increase them unnecessarily; and as it was to the interest of all parties that cattle should be slaughtered, there could be no doubt that means would be found for slaughtering them.

Sir STAFFORD NORTHCOTE would appeal to his hon. Friend not to go to a division on this clause. There might be in some places a private slaughterhouse already established, and the clause might be the means of establishing an unfair competition with it. The clause was a voluntary one, and it would be easy for those who wanted a slaughterhouse to provide one by voluntary arrangement.

Mr. GATHORNE HARDY also trusted that his hon. Friend would not go to a division. In his county (Kent) the magistrates allowed no licences, with the view of having the cattle slaughtered on the farm. The disease had ever since steadily diminished, and it had not been found, as had been feared, that the sending the butcher to the farm had spread the infection.

Mr. HUNT said, that as the feeling of the Committee seemed to be opposed to the clause, he would withdraw it.

Amendment *withdrawn.*

Clause *struck out.*

Clause 17 (General Prohibition of Movement of Cattle).

Colonel LOYD LINDSAY said, he could not agree to the clause, which contained the principle of the Bill of the hon. Member for Northamptonshire, believing that it would only increase the catastrophe which they were all seeking to avoid—namely, a deficiency in the supply of food next year. By adopting such strict regulations they would only prevent the breeding and rearing of cattle. The advance in the price of meat would be a sufficient encouragement to the producers, but these restrictions would prevent the natural operation of this inducement. Counties which were now free from the pest — such as Berkshire and Wales—would gladly avail themselves of the opportunity of producing an article of such value; and they would very shortly, if they were not prevented, rear twice as much stock as they did at present. Instead, however, of doing this, they were not now rearing half so much as they might do. He had been told of one case in his own district in which a farmer had been obliged to plough in his turnips because he could not get cattle to eat them. Some districts were free from the disease, and Nature pointed out to them the opportunity they had of rearing extra stock, and thus compensating for the losses of the less-favoured districts. In his opinion the cattle plague must run its course, and all Parliament could do was to mitigate its effects. If when the plague destroyed 100 in one county the farmers of another county reared 100 extra stock, they would make up for the deficiency. The remedy was that recommended by the Secretary of State for the Home Department, to place in the hands of the local authorities the power of granting licences. That power was found to work well, and, whatever people might say, they must go back to it.

MR. SCOURFIELD said, it was true that a large part of Wales had hitherto escaped the disease, but no one knew how soon it might appear there. He believed that the system of licences would only produce confusion and unequal action, and he would propose to give the Privy Council the power of declaring certain districts to be uninfected.

MR. HUNT said, that the Bill of the Government only dealt with the railway movement of cattle for the interval between the present moment and the 25th of March. What was urgent was, that the movement of cattle should be stopped as soon as possible, and he proposed now to ask the House to discuss the clauses relative to the movement of cattle up to the 25th of March. If the House stopped the movement of cattle until then there would be time before that day to discuss under what conditions cattle should be removed afterwards. There would be no occasion to alter anything in the clause except the date, and he would propose to substitute the words "the 25th of March" for "the 30th of April." There were many persons who had got cattle feeding on the crops of others, and it was, he thought, desirable that they should have a few days' notice in order that they might be able to bring those cattle home.

SIR ANDREW AGNEW hoped the Committee would not pass the clause without making the exceptions that in counties free from the plague any sound beasts might be moved to a port of embarkation under a licence from the local authority, unless determined otherwise by the justices sitting in session. The county he represented (Wigtonshire) was bounded on two sides by the sea, and on another by a hilly country. At present their communication was by rail, but that was cut off by the Bill. The farmers there, he thought, ought to be allowed to have access to the seaboard in order to be enabled to send off their cattle. Otherwise they would sustain great losses.

MR. BARROW suggested that the great majority of those tenants who were preparing to leave their farms on the 25th of March would be put to great inconvenience if, meantime, they were not enabled to sell their cattle and obtain facilities for their removal.

MR. BANKS STANHOPE said, he saw no difficulty in having the sales take place on the 22nd or 23rd of March, and leaving the cattle to be removed until the 26th. In the case of the north-west of Scotland a certain latitude might be allowed under the operation of the Bill.

MR. FLOYER said, he was encouraged by what had fallen from the hon. Gentleman to make an appeal on behalf of the county which he had the honour to represent (Dorsetshire), which he was happy to say was entirely free from the plague. There were many large dairy farms on which great inconvenience would be occasioned by the strict enforcement of provisions prohibiting the movement of cattle up to the 25th of March. Seeing that county jurisdiction was so universally recognized for all purposes, there could be no objection to adopting it for this. The hon. Member for Lincolnshire (Mr. Banks Stanhope) admitted that, under certain circumstances, counties might be excepted from the operation of the Bill if they were free from disease; and unless he had an intimation that exceptions of this kind would be made he must, with much regret, vote against this part of the Bill.

MR. AYRTON said, they were discussing all sorts of imaginary exceptions, which would assume a more definite form when they had passed the clause, as they might do, seeing that it anticipated necessary exceptions.

MR. DYCE NICOL said, that he was glad to find that the hon. Member for Northamptonshire had acceded to the suggestions made that the duration of his Bill and that of the Cattle Plague Bill should be the same — namely, until 25th proximo, by which time he hoped that the country, as regards this calamity, might be under more favourable circumstances. He had received from the chairman of the Kincardineshire Rinderpest Association a letter of which, with the Committee's permission, he would read an extract—

> "The dissolution of our association in the prospect of the passing of the Government Bill gives me great satisfaction, as we could not have gone on. The disease has assumed so mild a form in Kincardineshire, that it would have been impossible, and certainly imprudent, to enforce the stamping-out policy, seeing that recoveries are the rule and deaths the exception."

He had just received a telegram from a tenant-farmer at Fordoun confirming the above, and stating, that if owners were more watchful of the first symptoms of the disease the recoveries might soon amount to 90 per cent. He was not aware what Amendment the hon. Member for Northamptonshire was now about to make in the restrictions on traffic under his Bill, but he must say uniformity was impracticable, regulations applicable to Northamptonshire would not answer for either the Lowlands or Highlands of Scotland.

Amendment made: Words "30th day of April" *struck out,* and the words "25th day of March" inserted in lieu thereof.

Mr. HUSSEY VIVIAN rose to propose the Amendment of which he had given notice in the interest of a large district, containing counties that had not been infected, and others in which there had been comparatively few cases of disease—namely, Monmouth, Hereford, Gloucester, &c. No part of England had adopted more stringent measures than the quarter sessions of this had, and their orders had done more to protect it from exposure than would this Bill, if it had been passed in its first form. In this district it would be almost cruel to prohibit the movement of cattle up to the 25th of March. His Amendment was, that the following proviso be added at the end of Clause 17:—

> "Provided nevertheless that nothing in this Act contained shall prevent the removal of live beasts within any district which the Lords of Her Majesty's Privy Council shall, by Order in Council, declare to be free from Cattle Plague, such district being of not less area than one thousand square miles, and having well-defined boundaries, within five miles of which boundaries, not being formed by sea, no movement of live beasts shall take place: Provided, also, That such Order may from time to time be revoked."

He would rather have suggested that infected districts should be declared; but he felt that there were grave objections to doing that, and he therefore chose a negative instead of a positive clause.

Colonel PENNANT wished for some explanation in regard to the concluding portion of the clause. Did the hon. Gentleman mean five miles within the boundary, or five miles beyond it?

Mr. HUSSEY VIVIAN said, he meant five miles within the boundary, in order that there might be a zone which would be a security against infection. That plan had been successfully adopted in Devonshire and other counties, and universally on the Continent.

Mr. ACLAND thought the clause was a very important one, but he would suggest that the following addition should be made to it:—

> "Provided that satisfactory evidence be produced that no case of cattle plague has occurred in such districts within two months previous to the date of such order, and that such order shall, *ipso facto,* be revoked on a due notification being made to the Clerk of the Peace for the county, that a case of cattle plague has occurred in such county."

Sir GEORGE GREY said, the object of the Amendment was to affirm the third Resolution passed at the meeting in the tea-room. It had been remarked, however, by several hon. Gentlemen, that that Resolution was passed in great confusion at the close of the meeting, and that the majority of those present did not agree to it. The hon. Gentleman proposed that the Privy Council should have power to declare certain districts to be uninfected. No power would in that case be given to the local authorities; and some counties would be prevented from taking those wise precautions which they were now taking with the view of keeping out the cattle plague. Looking at the various circumstances in different parts of the country, he thought it would be impossible to prevent the local authorities from exercising discretionary power to a great extent. This only showed that he was correct in stating at the commencement of the discussion, how difficult it was to frame a general code of regulations for the whole country. He would consent, however, to the clause being passed now, on the understanding that the objections were to be taken into consideration at a future time.

Sir ANDREW AGNEW said, he had prepared an Amendment, reserving the power to the local authorities—

> "In counties free from the cattle plague any sound beast may, on a licence being obtained for that purpose, be moved along any highway to a port of embarkation, unless the local authorities should determine otherwise."

MR. CUMMING-BRUCE said, he believed that if in the northern counties sheep and cattle were not allowed to be brought down from the mountainous districts in the winter time many of them would perish from hunger. He would therefore propose this proviso:—

> "Provided, also, that the power by law now vested in the local authorities of these counties shall remain in force, and that in the event of the cattle plague appearing in any one of the counties aforesaid, it shall be lawful for the Lords of the Privy Council to extend those provisions of this Act as may be necessary to such counties."

MR. OWEN STANLEY thought the area ought not to be specified, but that it should be left to the Privy Council to define what districts were free from disease. In other respects, he agreed with the clause proposed by the hon. Member for Glamorganshire (Mr. Hussey Vivian.)

MR. PUGH said, he was in favour of the proviso of his hon. Friend, inasmuch as it gave the discretion to the Privy Council, which had advantages which other bodies had not. It had a Veterinary Department, and made reports of the state of the disease from week to week in all parts of the country. He therefore thought it was a power which, in the words of the right hon, Baronet, "might hold the reins according to the shifting circumstances of the hour" and loosen them or tighten them at discretion—

"——— Qui fœdere certo
Et premere et laxas sciret dare jussus habenas."

They were now, in the presence of an impending calamity, asked to place the country as to cattle in a quasi state of siege, and apply to them some of the conditions of martial law. Where these were required, they would be cheerfully submitted to, but he hoped that in uninfected districts like his own, they would not be made to operate with greater stringency than public opinion and reason and sound policy dictated.

COLONEL LOYD LINDSEY said, he fully recognized the object of the hon. Member for Glamorganshire (Mr. Hussey Vivian), which was to enable those districts which were free from the plague freely to rear cattle and thus benefit themselves and others. But the Privy Council might declare a district free from infection, and the disease might reappear and spread over it again. He would therefore suggest that the proviso should run thus:—

> "Provided, nevertheless, that nothing in this Act contained shall prevent the removal of live beasts within any district which the Court of Quarter Sessions may declare free from the cattle plague."

MR. HUSSEY VIVIAN said, that in his own part of the world they had made the most stringent regulations as to the movement of cattle. But absolutely to prohibit in districts which never had been infected, and were very extensive, the movement of stock, because there was disease in other parts of England, was really going too far, and was not consistent with common sense. The county of Pembroke, for instance, was a very large stock-breeding county; it was 150 miles from any disease, and was it to be proposed that there was to be no movement of cattle there?

MR. MITFORD trusted that the proviso of the hon. Gentleman (Colonel Lindsay) for some similar one, would be agreed to. In the Western Division of Sussex, which he represented, there was no infection, and the effect of the clause preventing the movement of cattle would be to debar him and almost every farmer in that district from sending his cattle to drink the water to which they were accustomed. They were content to submit to all necessary restrictions; but he thought that in a district in which there was no infection it was unnecessary to submit to these stringent regulations which were suitable for infected districts. On the contrary, it was desirable to encourage by every possible way the growth of stock in counties without infection; and in the South Downs, the district in which he lived, it was a question whether any stock should be kept at all. The farmers there should rather be encouraged to breed stock in order to make up for the deficiency in other parts of the country.

MR. ADDERLEY said, that if they were to continue this discussion on the proviso much longer, they would soon have as many verbal Amendments as there were Members of the Committee present. They were pretty well agreed both as to the clause and the proviso. Every one might have a fancy for some particular wording, but they were agreed that where there was any large district free from the plague, it should not be subject to the most stringent rules. ["Hear, hear!"] The right hon. Gentleman the Home Secretary cheered as if his first view of the subject—that it was impossible to introduce uniform regulations

—was conceded in that view. But what they were now about to do was totally different. The right hon. Gentleman's first view was, that in those parts of the county which were subjected to the cattle plague uniform regulations could not be laid down; but it was now proposed that for those districts which were subject to the plague uniform regulations should be laid down. Where there were very large districts which had been free from the plague, and were separated from the rest of the kingdom by distinct natural boundaries, it would be a great absurdity and an infliction of a great injustice to impose such restrictions at all. The practical question was, whether in ten counties in Wales and nine counties in Scotland which remained wholly uninfected the orders passed by the local authorities should not still be retained, but the provisions of this Bill should not enter. There was, he believed, no objection to that. And in addition to the ten Welsh and the nine Scotch counties the islands upon the coast, such as the Hebrides, ought to be excepted. All he rose to say now was, that if they were agreed upon the clause, and practically upon the proviso as they appeared to be, the sooner they said so the better. The only suggestion he would make was that the hon. Member (Mr. Hussey Vivian) should omit the definition of his area—namely, "a thousand square miles." Why not say, "being of large area, and having well-defined boundaries?"

Sir GEORGE GREY had no objection to the substance of the proviso if modified in the way he had suggested. What he wanted was that there should be a distinct power given by law to the local authorities in these districts to make such regulations as in their particular case appeared desirable.

Mr. HUSSEY VIVIAN said, that he would modify the clause by leaving out the words relating to area, and adding words giving permission to the Cattle Board to prevent the introduction of animals into the districts mentioned in the clause.

Sir GEORGE GREY asked what were to be the boundaries of the districts mentioned in the clause.

Mr. HUNT said, that there were certain natural boundaries which could be made the boundaries between the infected districts and the districts to which the clause would extend. For instance, Inverness-shire was mentioned in the tea-room as one of the five Scotch counties reported to be free from the disease; but two days afterwards a case of the plague was reported as having appeared in the southern part of the county. But a great chain of rivers, lakes, and canals called the Great Glen of Scotland separated the southern part of Inverness-shire and the South from the northern part of the county and the North of Scotland, and formed the boundary between the infected and the uninfected districts. In Wales a mountainous district separated the places where the disease prevailed from those which were free from it. These natural boundaries could be strictly guarded and the disease held in check as if it was an invading army.

Mr. BARING said, he differed from the hon. Member for Northamptonshire in the view he took of the matter. He agreed that some power should be given to the counties not infected to prevent the introduction of diseased cattle; for it was quite impossible to agree to such stringent provisions as these proposed with respect to that large part of England which was still free from disease. He had before him the statistics of the progress of the disease in the last week. There were 84 counties in England, Wales, and Scotland. There were no fresh outbreaks and no attacks at all in 34 counties—8 in England, 10 in Wales, and 16 in Scotland. In 8 other counties—3 in Scotland and 5 in England—no fresh outbreaks had taken place, although there were attacks in places where the disease had before existed. In 22 other counties —14 in England and 8 in Scotland—there were less than 5 fresh places in which the disease had broken out. The figures therefore showed that in 64 out of 84 counties the disease had not spread to any great or serious extent; and in these 64 counties he hoped there would not be much difficulty, with the aid of the powers given by Parliament, in putting a stop to the disease. With regard to the remaining counties there were many attacks of the disease, and in some of those counties it had raged fearfully. Out of these 20 counties there were 4 in which the number of attacks was not less than seven-tenths of the whole. In the 64 counties partially infected there were only 792 attacks in the course of the week. In the 20 other counties there were 10,798 cases. In the four counties to which he had referred—Cheshire, Lincolnshire, Yorkshire, and Forfarshire—there were 7,338 attacks, and in the other 16 counties only 3,460. It was impossible to say that regulations of equal stringency were applicable under such circumstances over the whole country.

MR. ADDERLEY said, that the clause might almost have specified the counties in which the disease had not made its appearance and separated them from the rest. There would be nothing more mischievous than that the local authority should have the power of making orders. Where the cattle plague existed, there let there be uniform rules.

After further discussion, the words "being of not less area than one thousand square miles" were *struck out* of the Amendment.

Proviso *added—*

"Provided, nevertheless, that nothing in this Act contained shall prevent the Removal of live Beasts within any district which the Lords of Her Majesty's Privy Council shall by Order in Council declare to be free from Cattle Plague, such District having well-defined Boundaries; Provided also, that such Order may from Time to Time be varied or revoked."

LORD EDWARD HOWARD suggested whether it would not be desirable to enable the local authorities of Manchester, and other large towns similarly situated, to increase their market accommodation for dead meat. The result of the Government Bill and of the present Bill would be to alter the supply of meat to the people. He apprehended that when the movement of cattle was checked the dead meat would be sure to find its way into the largest market of the neighbourhood with which he was connected—namely, Manchester, and that the inhabitants of that populous district would have to get their supplies from that town. He doubted, however, whether at Manchester there now existed the means of so exhibiting the meat that a proper choice could be made of it by purchasers, and it might be expedient to empower the authorities, by levying tolls, to extend their accommodation for that purpose. Again, in order to afford facilities for the due supply of certain towns, it might also be desirable to enable them to hold more frequent markets.

Proviso *added—*

"Provided that it shall be lawful for the Local Authority having jurisdiction within the District so exempted as aforesaid by Order to be published in some Newspaper circulating within its Jurisdiction, to prohibit altogether or to impose Restrictions or Conditions on the Introduction of Beasts into its District, and also on the Removal of Beasts from Place to Place within its District.

Clause, as amended, *agreed to.* [*cl.* 5.]

Clause 18 (Exception for Movement where separate Lands in same Occupation).

MR. BONHAM-CARTER asked, what was meant by the word "closes?"

MR. HUNT replied, that "close" was a legal term known to the law.

MR. BONHAM-CARTER wished to know whether it would be possible under the operation of the clause as it stood for a farmer whose cattle might be in a homestead in some village to send them to the pasturage which was their feeding ground. He should propose the substitution of the word "land" for "closes."

MR. HUNT said, he did not quite understand what his hon. Friend meant by the word "land." The meaning of the clause as it stood was, that cattle might be moved about from field to field on the owner's farm, but that they could not travel along a road for more than a distance of 200 yards.

MR. KEKEWICH observed, that in many cases the highway intersected the farm and divided the homesteads in which the cattle were kept from the pasture grounds, and that great inconvenience would be caused to farmers in the county with which he was connected if the clause passed in its present shape. He should therefore suggest that, instead of restricting the distance as proposed, the local authorities should be empowered to allow cattle to be driven to their pastures under a licence.

MAJOR WINDSOR PARKER suggested that the distance of 200 yards should be increased to half a mile.

SIR GEORGE GREY believed that the word "field" would be better understood than "close" or "land."

SIR FITZROY KELLY thought that "land" would comprise everything; while the same could not be said either of "close" or "field."

MR. EVANS advocated the insertion of the words "with a licence."

MR. HUNT thought that if a licence were necessary to every removal the clause would be found to be too stringent.

SIR JOHN PAKINGTON believed the Amendment would be found exceedingly vexatious, and hoped that it would not be passed. He suggested that the words allowing the movement from one part of the farm to another over 200 yards of highway should be struck out, so that farmers might freely avail themselves of all portions of their farms.

Mr. HUNT said, that the reason why he had specified 200 yards was because some farmers had fields on both sides of a road. He desired that some restriction should be placed, even if farmers should be allowed to move their cattle three, four, or five hundred yards instead of two; but if they were left unrestricted as to distance it might lead to great danger.

Sir WILLIAM HEATHCOTE reminded the Committee that if the suggestion of the hon. Member for Droitwich (Sir John Pakington) were accepted, farmers would frequently drive their cattle along the high road, because portions of their farms might be scattered widely over the country.

Sir EDWARD BULLER said, the restriction of the movement of the cattle to 200 yards would frequently prevent their being taken to the brook where they were accustomed to drink.

Mr. GATHORNE HARDY could scarcely conceive a better mode of spreading the infection than that to which the hon. Member for North Staffordshire (Sir Edward Buller) referred.

Sir EDWARD BULLER advocated the retention of an old custom, and not the adoption of a new practice. He would ten times sooner have the cattle plague among his herd than be unable to obtain water for their use.

Mr. F. S. POWELL said, there was a degree of confusion in the use of the word "farm." In many cases the fields of a single farm were spread over a good deal of country, and were frequently partially separated. The distance of 200 yards ought to be increased.

Lord BURGHLEY said, that some hon. Gentlemen appeared to imagine that the Bill was to be a permanent one. If they wished to diminish the disease they must adopt the most stringent measures.

Lord GEORGE CAVENDISH agreed with the hon. Member for North Staffordshire (Sir Edward Buller) in thinking that the animals ought to be allowed to be taken to the brook. This clause was an example showing the inconvenience of having one invariable rule to be enforced throughout the whole country.

Mr. HUNT said, he must press it on the recollection of the Committee that the clause was a relaxing clause, permitting farmers to move their cattle 200 yards along a road without a licence, and he could not see what necessity there was to restrict this limited freedom of motion by rendering a licence requisite before the cattle could be removed that short distance, especially after Government had given their sanction to that distance; for in the Bill which they introduced the local authorities, by the 22nd clause, had power to impose restrictions on the removal of animals from place to place, excepting to the extent of 200 yards on the same farm; and that was all that this clause proposed. If the hon. Member for Devonshire (Mr. Kekewich) were desirous that power should be given to move the animals a greater distance under licences, he should introduce a new clause to effect his object, but he should not interfere with the relaxing clause now under consideration. The farmers in his own county (Northamptonshire) would be put to the greatest inconvenience by the restriction of the distance to 200 yards; but they had made up their minds to put up with it for the sake of the general good. It was a material fact that, until the end of March, there would be but slight necessity for moving cattle, as they were at present fed upon dry food, which could be carried to them; and if the beasts were in the fields there was no reason why they should not remain in their pasture. In the case of milking cows, he had inquired whether the farmers would not require them to be brought home to be milked; the answer was, that it would be a great inconvenience, and break into their usual customs; but that they would rather send the milkman to the cow. The strongest case of all that had been made out for an enlargement of the limit was that of the cow about to calve, as at first sight it would appear impossible to leave the cow and new offspring in the fields exposed to inclement weather; but he had been informed that by means of straw and hurdles a sufficient shelter for both might be easily provided, and farmers were willing to run even this risk in order to put a stop to the plague. Then, with respect to watering the cattle, it had been found in Huntingdonshire and Northamptonshire that taking cattle to running streams to water was a most effectual method of spreading the disease, and so strongly was he impressed with the fear of contagion thus conveyed that he had given directions that in future his cows were to be supplied with water pumped up from a well, and not with water from the adjoining river; and although it might be a great expense, yet it was quite possible to take water to the pastures. His advice to farmers, if they wished to stop the cattle plague, was not to allow their cattle to be driven to a river or stream for water, but to put up with any inconvenience rather than run so great a risk.

SIR GEORGE GREY said, as he understood the clause, farmers were to have an absolute right to move their cattle 200 yards without any licence being required, whereas the Amendment proposed would take away that right, and at the same time give the local authorities power to permit cattle to be removed even for a greater distance under a licence. He had no objection to a discretionary power being given to the local authorities to enlarge the limit so long as the right of the farmer to remove his cattle 200 yards without licence was left untouched.

LORD GEORGE CAVENDISH explained that he wished to make the clause more stringent instead of relaxing it. He had said nothing whatever as to enlarging the limit.

MR. KEKEWICH thought that in unaffected districts the local authorities should have power to grant licences for the removal of sound cattle under certain circumstances. That seemed to him to be the good sense of the case.

MR. ADDERLEY was of opinion that if the Amendment were carried the practice would vary in every county, and the Act would be rendered nugatory.

MR. BOVILL said, his practical experience in some parts of the country showed him that many small farmers—especially those occupying land in the home counties—were compelled to drive their cattle from the hills to the lowlands, and he thought 200 yards was too close a limit. What he proposed was to leave the farmers at liberty to move their cattle 200 yards without licences, and at the end of the clause to add words giving the local authorities power to grant licences for the removal of cattle a certain further distance, say of 500 yards. He did not intend absolutely to fix the limit to 500 yards, that was a matter for the House to determine.

MR. LOCKE KING thought that when the farmer had two farms at some distance from each other the question as to the propriety of removing the animals might be safely left in his hands, as he would not be anxious to convey the disease from one of his homesteads to the other.

VISCOUNT CRANBOURNE hoped, in case the principle of the Amendment, which practically gave power to the local authorities to set the Act at defiance, should be adopted in any form, that the local authorities should be interpreted to mean the magistrates assembled in quarter sessions. Some people did not believe in infection at all, and there were eccentric justices of the peace as well as Ministers of State, and therefore it was necessary to be careful as to whom the power was intrusted.

SIR GEORGE GREY said, there were no provisions whatever in the Bill for granting licences, and therefore he should have no objection whatever to insert the words proposed by the hon. and learned Member for Guildford (Mr. Bovill).

MR. HENLEY said, this was an exception to a very stringent rule, and they ought not to pass it without making it really useful. He understood the clause to be confined to one occupation. The machinery for the licence was already in the Bill. Where a man happened to have a large farm, say of 1,000 acres, highways might run along unfenced through the middle of his fields, and certainly he ought to have the power of moving his cattle with a licence from one part of his farm to another. If they did not give facilities of that kind the Act would be evaded, or an outcry would be raised against it throughout the country.

SIR STAFFORD NORTHCOTE said, he thought it very desirable to have the clause so framed that a distinction should be drawn between lands where a man had an interest, and where he would move his cattle cautiously, and a piece of grass-land which he rented, perhaps a couple of miles distant, and where he would have less objection to send his infected animals. Some kind of licence he thought was necessary to give the farmer the right to remove his cattle to distant grazing-ground.

SIR EDWARD BULLER said, he hoped they would not attempt to make the Bill too stringent. He believed the slaughtering clauses would occasion considerable difficulty. He had heard to-day the case of a very respectable man who had twenty-two valuable beasts that had taken the plague—twenty were recovering; but according to this Act of Parliament the inspector might direct that the whole herd should be slaughtered. The owner of these cattle said he would suffer anything, he would almost rise in rebellion, rather than permit this. He would strongly urge the

House to see how far the provisions of the Bill could be relaxed.

Mr. HUNT asked if his hon. Friend intended that the licence should last till revoked. A man might get a licence when there was no cattle plague on his farm. The disease might break out among his cattle on the following day, and his licence would entitle him to remove them.

Mr. HENLEY said, he was not afraid the clause would open the door to diseased cattle. Cattle to be moved at all must be sound. The owner must give proof of their soundness before the licence was granted.

Sir EDWARD COLEBROOKE apprehended no difficulty in the practical working of the clause. No justice of the peace would grant a licence without requiring proofs that the cattle to be moved were sound.

Mr. KEKEWICH thought the matter not so simple as it was supposed to be. The clause permitted the farmer to move his cattle 200 yards along the highway; and if he went 210 yards he was fined. If he wanted to move them from the homestead to a pasture at a distance exceeding 200 yards he would have to apply to the local authority, who would give him a licence so long as the cattle were sound.

Mr. NEWDEGATE hoped that the distance would be extended, and that the limit would be assigned in the licence.

Mr. BOVILL then moved, as an Amendment, to add the following words to the clause:—

> "And with a licence for any longer distance, and until such licence shall be revoked by any justice of the peace."

The clause as it stood enabled sound cattle to be moved without licence 200 yards on any public highway for the purpose of being taken from one building, yard, or close to another building, yard, or close in the same occupation; and the effect of his Amendment would be to allow them to be moved with a licence a further distance on the highway.

Amendment proposed, at the end of the Clause, to add the words "and with a licence for any longer distance, and until such licence shall be revoked by any justice of the peace."—(*Mr. Bovill.*)

Question proposed, "That those words be there added."

Sir GEORGE GREY concurred in the substance of the Amendment, but suggested that the words "justice of the peace" should be omitted, as the authority to grant the licence would be settled by a subsequent clause.

Amendment proposed to the said proposed Amendment, to leave out the words "by any justice of the peace."—(*Sir George Grey.*)

Mr. BOVILL consented to omit those words.

Question, "That the words proposed to be left out stand part of the said proposed Amendment," put, and *negatived.*

Viscount CRANBOURNE said, that it was not only necessary that the persons to grant the licences should be settled by the Bill, but also that the licences should be sanctioned by the local authorities.

Mr. HUNT observed, that there was nothing in the Amendment to limit the distance to which cattle might be moved. He knew persons who had occupations three or four counties apart; and the Amendment would permit the removal of cattle from a farm in Caithness to a farm in Cornwall. The clause was drawn up for one purpose, and it was now attempted to turn it to another. He suggested that it should be allowed to stand as it was originally framed, and if the hon. and learned Member desired to take the sense of the House on his proposition let him bring it up as a separate clause.

Question put, "That the words 'and with a licence for any longer distance, and until such licence shall be revoked,' be added at the end of Clause 14."

The Committee *divided* :—Ayes 146; Noes 83; Majority 63.

Viscount CRANBOURNE observed, that the Committee while intending to facilitate communication between diffierent parts of a farm, did not mean to sanction communication between widely-distant farms, nor to encourage evasion by butchers; and he would therefore move an Amendment suggested by the hon. and learned Member for the Tower Hamlets, to limit to two miles the distance within which cattle might be moved under licence.

Mr. BOVILL would be quite content with the limitation; indeed, he would rather say one mile.

Colonel WILSON PATTEN moved that the distance be one mile.

The latter Amendment put, and *negatived.*

MR. HUNT complained that the Committee had gone to a division which meant nothing, and had got rid of one clause to insert another. If his recommendation had been adopted and a new clause brought up, the difficulty would have been escaped.

SIR GEORGE GREY said, that whatever the division meant it had effected a great deal.

MR. HENLEY justified the division, on the ground that it had widened an exception to a stringent enactment.

MR. E. CRAUFURD, who knew a case in which a farmer's holdings were three miles apart, would leave the limitation of distances to local authorities.

Amendment to insert "provided that such distance shall not exceed two miles," *agreed to.*

Clause, as amended, *agreed to.* [*cl.* 6.]

Clause 19 (Exception for Beasts imported).

MR. HUNT moved that it be omitted, in order that a new clause might be afterwards inserted in its place.

Clause *struck out.*

Clause 20 (Exception for Beasts going to Slaughterhouse under the Act).

SIR EDWARD BULLER moved the substitution of the word "cattle" for "live beasts." The word "cattle" expressed the whole bovine race; and though it was true the word "beast" was occasionally used in that sense, still it was not a classical expression.

MR. HUNT remarked that it was a pity that the hon. Member had not made the objection before, as two clauses had been already passed which contained the word "beast." Besides, the meaning of the word was explained in the Interpretation clause.

Amendment *withdrawn.*

SIR JOHN SIMEON moved that the distance to which cattle might be moved for the purpose of slaughter should be six miles instead of two, as proposed by the preceding clause as amended in Committee.

MR. HUNT said, he should not oppose the Amendment.

Amendment *agreed to.*

SIR JOHN SIMEON proposed to substitute the words "immediate slaughter," instead of the words "being taken to be slaughtered at a slaughterhouse provided under the Act."

MR. HUNT suggested to leave out the words "to be taken to be slaughtered" to the end, so that the clause might stand "for immediate slaughter at a slaughterhouse."

The latter Amendment *agreed to.*

Clause, as amended, *agreed to.* [*cl.* 7.]

Clauses 21, 22, 23 *withdrawn,* Mr. HUNT having agreed to bring up new clauses.

Clause 24 (Exception for Breeding).

MR. LOCKE KING moved to omit the words "from the 25th of March, 1866," inclusive, in order that the clause might come into immediate operation.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 10 (Exception for Calves).

MR. LOCKE-KING said, that this was a most dangerous clause. It would be very desirable that opportunities should be given for the transfer of cattle from one farm to another. At present, owing to the stringent regulations in force, calves were often slaughtered as soon as they were dropped, and he need not say what a very serious thing anything approaching to a general slaughter of the young stock in the country would be.

MR. SCLATER-BOOTH said, that the high price of milk, coupled with the restrictions on the movement of cattle, was causing an alarming destruction of newly-dropped calves in the dairy farms near the great towns. He did hope the Committee would do something to enable these young calves to be reared.

MR. WALPOLE thought that nothing could be more serious than this; there could be nothing more dangerous than the young stock of the country being cut off in this manner. He thought that Parliament ought not only give every facility to farmers to send the calves to breeding farms, but ought even pass an Act to prevent their reckless slaughter. In the Act passed a hundred years ago, one of the provisions was that no cow calves should be killed, in order that the breed of cattle might not be diminished. Some such provision might be inserted in the present Act.

SIR GEORGE GREY said, he had been in communication with all parts of the country, and he thought that it was full time to do something to put a stop to the promiscuous slaughter of calves. He need not say what a very serious matter it would be if by their needless slaughter the future supply of food was to be seriously diminished.

Mr. HUNT said that if it was the wish of the House he would introduce into the clause any insertions that the House wished for in order to enable the calves to be brought from the farms where they were dropped to farms where they would be reared.

Amendments made.

On Question, That the clause as amended stand part of the Bill,

Mr. LOCKE KING said, he thought the clause an objectionable one; a great danger would arise from the intervention of the dealers in calves. He was disposed to divide the Committee on it.

Sir GEORGE GREY observed, that the various opinions entertained on the subject of this 21st clause afforded another illustration of the difficulty of dealing with this subject by statutory regulations, and convinced him that it would be better to leave it to the local authorities to make regulations suitable to the requirements of their respective counties.

Mr. HUNT said, that if each county must have exactly what would suit itself, there would be no possibility of making such regulations as would be likely to stamp out the plague.

Mr. W. DUNCOMBE said, the right hon. Baronet the Home Secretary had several times made observations that showed he was still in favour of permissive legislation, and of leaving matters to the local authorities. He could state, however, from his own experience of courts of quarter sessions, that they objected to matters being left to them. They objected to the Government shifting the responsibility from their own shoulders and placing it upon those of country Gentlemen.

Clause, as amended, *agreed to.*

Clause 22 *postponed.*

Clause 23 amended, and *agreed to.*

Clause 24 *negatived.*

Clause 28 (Presumption against person moving).

The CHANCELLOR of the EXCHEQUER said, he thought it could hardly stand in its present form. Clause 14 had authorized the movement of cattle to a certain limited extent without any licence. But this clause presumed from the mere fact of cattle being found upon the highway that they were being moved in contravention of the Act, until the contrary was shown. How was the contrary to be shown, and to whose satisfaction?

Mr. HUNT said, the act was to be proved, not to the satisfaction of the policeman who might stop the cattle, but of the magistrate before whom the person in charge was brought.

The CHANCELLOR of the EXCHEQUER said, that he foresaw grave inconveniences arising from the plan. There was a manifest inconsistency between the two clauses.

Viscount CRANBOURNE suggested that the difficulty might be removed by giving a permanent licence to all persons requiring to move cattle upon their own grounds.

The CHANCELLOR of the EXCHEQUER said, the suggestion was a wise and practical one, but words giving effect to it must be added to the clause.

Sir STAFFORD NORTHCOTE said, that within the very short distance which cattle could be moved under Clause 14, the owners and the cattle themselves would be very well known.

Mr. DENT thought this was precisely a case where a policeman owing a grudge to a farmer would have an opportunity of gratifying it by causing him petty annoyance.

Mr. AYRTON foresaw this further difficulty about the explanation. The driver, not the cow, was to be taken before a magistrate for the purpose; and what was to become of the cow in the meantime. Everybody would be placed in a most embarrassing position.

Mr. SCLATER-BOOTH, with a view of rendering the clause more intelligible, moved the insertion of the following words:—"Except for the space of 200 yards, as hereinbefore provided in Clause 14 of this Act."

Mr. HENLEY said, that the 25th and 26th clauses must be considered together. The 28th clause threw the burden of proof upon the person having charge or possession of the cattle. A boy might be driving two or three cows and might be met by a policeman. Unless the boy could give a satisfactory account of the matter the policeman would carry off the boy and the cows to the station-house. Within forty-eight hours he must take him before the justice; but no provision was made by the clause for taking the owner of the cattle before the justice. How was this wretched boy, who probably knew nothing of arithmetic, to substantiate his story that the distance was not more than 200 yards? If, however, he could not prove the fact the cattle were to be killed, forfeited, and sold. But that was not all the mischief. Suppose the cattle were diseased. The station-house, or the pound, which was the station-house for cattle, might be six or seven miles off, and the cattle would have to be driven all the distance. The clauses certainly required more consideration.

Viscount CRANBOURNE said, that the case of the boy might be pitiful, but the case of the policeman was more pitiful still, because he would have to drive the cattle, and being the driver of the cattle under the law he might be taken up by another policeman. The second policeman would then in his turn become the driver of the cattle according to the Act, and so it might go on until all the police of the county would be found arresting one another.

The CHANCELLOR of the EXCHEQUER said, there was another important person — the common informer. If he found the boy and the cattle he might assume that the cattle were being removed without authority. By the Act the common informer was to receive half the penalty.

Mr. HUNT suggested that the difficulty might be met by inserting, after the word "presume," the words "on any inquiry before a justice."

Sir STAFFORD NORTHCOTE would remind the Chancellor of the Exchequer that, although a common informer might obtain a portion of the penalty, he could neither stop the animals nor arrest the driver.

Mr. AYRTON would recommend the hon. Gentleman (Mr. Hunt) to take time to amend the clause, and for this purpose he moved that the Chairman report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Ayrton.*)

The Committee *divided*:—Ayes 25; Noes 117: Majority 92.

Mr. HUNT proposed that the clause should run thus—

> "Where any person is charged before a Justice of the Peace with having moved a live beast on a public highway, it shall be presumed that it has been so moved in contravention of this Act until the contrary is shown."

Amendment *agreed to.*

Clause, as amended, *agreed to.* [*cl.* 12.]

Clause 29 (Power for Constables to stop Beasts on highways).

Mr. OWEN STANLEY suggested the desirability of reporting Progress, that the Bill might be re-printed.

The CHANCELLOR of the EXCHEQUER said, he was afraid, notwithstanding his desire to go on with the Bill, that it would be impossible to finish it during the present sitting. Perhaps the hon. Member would be kind enough to say where he would stop, and what he proposed for consideration during the next sitting.

Mr. HUNT said, he had hoped they would have been able to finish that portion of the Bill under discussion. With regard to the printing, he would assist in that respect as much as he was able; but the Amendments made in the Bill necessitated the framing of new clauses; and he did not think he could give notice of them then. The question of moving of hides was very important, so also was the cleansing of cattle grounds. He supposed it would be best to proceed with the consideration of the Bill after the "Notices" to-morrow—or rather he should say to-day, as it was past midnight.

Sir GEORGE GREY remarked that as the clause stood a person with a certificate authorizing him to move a beast would be liable to be apprehended. He therefore proposed to insert after the word "beast" the words "unless such person or persons can produce a licence authorizing him to remove such beast."

Mr. HUNT said, it was desirable in addition to this to add a sentence protecting those moving cattle on their farms.

Clause, as amended, *agreed to.* [*cl.* 13.]

Clause 30 (Power to Justices to order beast to be killed, &c).

Sir EDWARD BULLER remarked, that it was impossible to pass it as it stood. The justices would have a direct personal interest in seizing a beast driven on the road. They were authorized to dispose of it as they thought fit. They might even eat it.

Mr. HUNT said, great efforts would be made to smuggle beasts from place to place at night, and great risks would be run by the drivers to get the beasts moved. He therefore thought it desirable to have some such stringent provision as that proposed. Drivers should be made to lose as much as possible if they acted contrary to the Act.

Clause amended, and *agreed to.* [*cl.* 14.]

Committee report Progress; to sit again *To-morrow.*

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, February 20, 1866.

MINUTES.]—Several Lords took the Oath.
PUBLIC BILLS — *First Reading* — Metalliferous Mines* [H.L.] (21); Habitual Offenders (Scotland) (1866)* [H.L.] (22).
Second Reading—Art [H.L.] (15).
Royal Assent—Cattle Diseases.

CATTLE PLAGUE ACT.—QUESTION.

THE EARL OF ELLENBOROUGH asked the noble Earl the President of the Council, Whether it is the intention of the Secretary of State for the Home Department to offer any suggestions to the local authorities for their guidance in framing rules under the Cattle Diseases Act? He feared that without some suggestions from a general authority uniformity could scarcely be expected. He understood that the local authorities would probably be called upon to frame these rules by Saturday, or not later than Monday.

THE EARL OF DALHOUSIE also desired to inquire of his noble Friend (Earl Granville) whether the inspectors who had been already appointed would continue to hold office until the local authorities made new appointments, or whether the Act which had received the Royal Assent that day did not put an end to their appointment.

EARL GRANVILLE said, he was sorry his noble Friend (the Earl of Dalhousie) had not given him notice of his Question, for he was not prepared to give a positive answer to it offhand; but he did not apprehend that the Bill which was now an Act would stop the operation of the Orders in Council till the local authorities gave effect to the provisions of the new Act. With regard to the Question of the noble Earl opposite (the Earl of Ellenborough), it was to be remembered that Parliament had taken this matter to a certain extent out of the hands of the Government. Whatever was now done must be done in accordance with the provisions of the Act. At the same time, he was sure his right hon. Friend the Home Secretary would be glad to give any assistance in his power to the local authorities, and it had been already suggested that instructions should be issued by the Government as to the best modes of disinfection.

CATTLE PLAGUE RETURNS.

OBSERVATIONS.

EARL STANHOPE wished to call the attention of his noble Friend the President of the Council to the unsatisfactory nature of the information supplied by the Cattle Plague Returns issued by the Veterinary Department of the Privy Council; for, while these Returns seemed to announce a diminution at present in the number of cases, in one week 200 inspectors and in another 250 had failed to send in their Returns. The publication of imperfect Returns was calculated to give rise to erroneous impressions, and to hopes that might not be realized. Under these circumstances, it would be well either to make some rule which would secure weekly reports from all the inspectors, or to postpone the publication of the reports for a longer interval than a week.

EARL GRANVILLE said, the Returns which were wanting were those from the infected districts in Yorkshire and Cheshire, where the amount of work devolving upon the inspectors was at times so overwhelming as to prevent them, with all the will in the world, from forwarding the Returns in time. He feared that the course suggested by the noble Earl would hardly prove in practice any improvement upon the present system. But the completed Returns, he hoped, would be in their Lordships' hands before the end of the week.

SMALLPOX AMONG SHEEP.

QUESTION.

THE EARL OF DERBY: I am afraid my noble Friend must be nearly tired of answering Questions, but I hope he will excuse my putting another to him—more particularly as I have not given any notice of it. But it was not until this morning that I saw a notification, which appeared last night in the *Gazette*, to the effect that smallpox had broken out among the sheep in Northamptonshire. I trust that measures either have been or will be promptly taken to prevent any sheep from being allowed to leave the district where the disease has shown itself, and also that provision will be made for burying the carcass of any infected animal. I will only further say that we shall have reason to feel indebted to the noble Earl if he can lay before us any information in addition to that which has appeared in the morning papers; because, if we have the cattle plague supplemented and aggravated by smallpox among the sheep, there is no knowing to what extent the mischief may prevail.

EARL GRANVILLE: I am sorry to say that, according to the information which has reached me, smallpox appears to have broken out among the sheep in a district of Northamptonshire. Of course, we did not lose a single moment in issuing an Order suitable to the circumstances that have arisen. I am encouraged to hope that the mischief may not prove extensive, because a similar case occurred a few months ago, and by prompt and timely measures the disease was entirely stamped out.

THE EARL OF DERBY: Can the noble Earl state that any information has been received as to the means by which the disease was imported into the district? Has he been able to trace its origin?

EARL GRANVILLE: The origin of the disease is exceedingly doubtful. I am speaking merely from memory, but the sheep were bought, I think, on the 4th of December, and it was on the 28th of January that the disease showed itself. The disease may possibly have escaped attention during that interval; one of the sheep may have had the disease mildly at first, and it may then have spread from animal to animal during those eight weeks. On that point it is impossible for me to pronounce any opinion; but we have desired the inspector to inquire very closely, and also to ascertain, if possible, whether the sheep came from Holland, or whether they were bought in this country.

THE CATTLE PLAGUE.—QUESTIONS.

THE DUKE OF BUCCLEUCH said, it was rather late to present petitions in reference to a Bill that had received the Royal Assent; two petitions, however, had been intrusted to him having reference to what was called the Cattle Diseases Prevention Bill, but which should properly be called the Cattle Extirpation Bill. The first was from the justices of the peace of the county of Ross, the other from the landed proprietors, tenant-farmers, manufacturers, merchants, and others of Easter Ross, praying that vigorous measures might be taken for stamping out the cattle plague—by which they meant the indiscriminate slaughter of every animal—and the indemnification of the owners.

THE DUKE OF MARLBOROUGH said, he had not been aware that it was intended to pass the Bill through all its stages so hurriedly, or he should have been present the night before. The House having resolved upon the indiscriminate slaughter of cattle throughout the country, it was of vital importance that the Government should ascertain at the earliest possible moment the amount of stock actually in the country. The Department specially intrusted with that duty was doing its best to procure information upon the point; but the Returns which it was empowered to collect were only voluntary. The Government, therefore, ought to take the first opportunity of obtaining Parliamentary powers compelling Returns to be made of the amount of live stock in the country. He perceived that power had been given to the Privy Council of continuing the slaughter of cattle beyond the period fixed by the Act in the first instance. As there was no saying what advice the Government might receive, or what they might think fit to do, it became of double importance that they should not be acting in the dark. Foreign importation could not be relied upon as a source of supply; and it might turn out, after an enormous number of beasts had been killed, that indiscriminate slaughter would not prove successful. When last this country was visited by the cattle plague 100,000 head of cattle were annihilated without stopping or alleviating the infliction. With the information, however, in their possession as to the actual quantity of stock at present in the country, the Government would know how far it was wise to go; and he therefore suggested that clauses on this subject should be introduced into the Bill at present before the other House of Parliament.

LORD LYTTELTON asked whether it was the fact that all the cattle affected with the disease, and now under treatment, whether by Mr. Worms or any other person, even though they might exhibit promising symptoms, were to be destroyed, or whether power existed anywhere to avert this doom, under a special representation of circumstances.

LORD TAUNTON fully agreed with the noble Duke opposite as to the importance of taking powers to render compulsory the collection of information; and hoped that agriculturists would now be reconciled to this proceeding annually, for, if once adopted, they would find it to be attended with the greatest benefit.

MESSAGE FROM THE QUEEN.
MARRIAGE OF THE PRINCESS HELENA.

Message from The Queen—*Delivered* by The Earl Russell; and read by The Lord Chancellor as follows:—

"Victoria R.

"Her Majesty relies upon the cordial Interest which the House of Lords has expressed in the approaching Marriage between The Princess Helena and Prince Christian of Schleswig-Holstein Sonderbourg-Augustenburg:

"The numerous Proofs which the Queen has received of their Loyalty to Her Throne, and of their Attachment to Her Person and Family, assure Her of their Willingness to concur in making such a Provision for The Princess Helena, with a view to the proposed Marriage, as may be suitable to the Dignity of the Crown. V. R."

Ordered, That the said Message be taken into Consideration on *Thursday* next.

MESSAGE FROM THE QUEEN.
PROVISION FOR PRINCE ALFRED.

Message from The Queen—*Delivered* by The Earl Russell; and read by The Lord Chancellor as follows:—

"Victoria R.

"Her Majesty being desirous of making competent Provision for the honourable Support and Maintenance of Her Second Son, Prince Alfred Ernest Albert, on his coming of Age, relies upon the Attachment of the House of Lords to concur in the Adoption of such Measures as may be suitable to the Occasion. V. R."

Ordered, That the said Message be taken into Consideration on *Thursday* next.

ART BILL—[Bill 15.]
SECOND READING.

Order of the Day for the Second Reading read.

Lord STANLEY of ALDERLEY moved the second reading of this Bill, the object of which is to enable holders of valuable pictures and works of art under trust deeds to lend them if they were so disposed, notwithstanding the restrictions of the trust deeds, to the proposed National Portrait Exhibitions in London and the International Exhibition of Paris to be held next year. The works of art were to be intrusted to the President of the Council for the National Portrait Exhibition, and would be returned, as far as possible, without damage; but the Lord President was not to be personally liable for any loss or any damage any work of art might sustain.

Moved, "That the Bill be now read 2ª."—(*Lord Stanley of Alderley.*)

The Marquess of BATH said, he did not intend to oppose the second reading of the Bill, but thought the third clause would require some modification in Committee. The President of the Council was not to be in any way responsible for any damage that might occur to the objects lent for the purposes of exhibition; and, indeed, it would appear by the Bill that no one was answerable. By the third clause trustees or guardians would be permitted to lend any of the works of art in their charge to an exhibition, without being liable for any damage; and the consequence might be the guardian himself, perhaps, having little interest in the work, that, through careless packing or rough carriage, a valuable picture might be injured or destroyed.

Lord STANLEY of ALDERLEY reminded the noble Marquess that the Bill was entirely permissive. It compelled no one to lend their pictures—it only enabled them to do so; and of course none would lend a work of art without being fully aware of the conditions upon which it left their hands. He thought the noble Marquess would agree with him that it was impossible to make any one responsible for damage done to their pictures. Holders could lend or not, as they felt disposed.

The Marquess of BATH said, it appeared that the Bill was really for the purpose of enabling the British Museum to lend some of the articles which were in the custody of the Trustees. If the power to lend applied only to the owner he would have no objection; but here they were proposing to lend by the authority of trustees and guardians.

Lord OVERSTONE thought that the Bill if it passed into law would place the Trustees of the British Museum and National Gallery in a very difficult position.

LORD STANLEY OF ALDERLEY replied that if the trustees of national institutions thought there would be danger in lending the works of art it was proposed to borrow, they would of course not lend them.

THE EARL OF DERBY said, he did not understand that the Bill gave general permission to trustees to lend works of art under any circumstances, but only to certain specified exhibitions; and these loans under the immediate sanction and control of the President of the Council—the President of the Council being himself morally, though he was not legally, responsible for the safe custody of the pictures. In making the arrangements for the National Portrait Exhibition to take place this and next year, it had been felt that many most valuable and interesting historical portraits could not be obtained, because the trustees in whose custody they were had no power to lend them; and the Bill, therefore, was to enable the trustees to exercise their own judgment as to whether they would allow the pictures to be exhibited, under the control of the President of the Council, in the two cases named.

LORD STANLEY OF ALDERLEY said, the noble Earl had quite correctly stated the object of the Bill, which had reference to the Paris Exhibition and the National Portrait Exhibition only, in which the noble Earl had taken so much interest.

LORD TAUNTON said, that if the measure applied only to these two Exhibitions, he entirely approved of it; but there would be considerable objection to allowing the pictures to be lent for exhibition all over the country. If such a power were given, he was afraid the effect would be to prevent persons leaving works of art to the nation.

LORD STANLEY OF ALDERLEY said, that it certainly only was intended to apply to the two Exhibitions he had named; but if the wording of the Bill should appear too general, he should be happy to introduce in Committee any words which would make the proper restriction.

Motion *agreed to*:—Bill read 2ª, and *committed* to a Committee of the whole House on *Thursday* next.

THE CATTLE DISEASES ACT.

QUESTION.

THE DUKE OF BUCCLEUCH, in giving notice of a Question respecting the Cattle Diseases Prevention Act for Thursday evening, said, he was anxious to know, Whether the local authorities which had existed up to the present time under the Orders in Council had now ceased to exist, or whether they would continue until the new local authorities were constituted? For Scotland a new local authority altogether had been invented, and it must take several days before that body could be constituted. He should like to be informed whether the Act of 1848 was still in existence, or superseded, or only in abeyance? Several communications had reached him by post, that morning, from Scotland with respect to the new Act, and but for the haste with which it had been pressed forward these suggestions might have been considered, to the great improvement of the Act.

METALLIFEROUS MINES BILL [H.L.]

A Bill relating to Metalliferous Mines—Was *presented* by The Lord KINNAIRD; read 1ª. (No. 21.)

HABITUAL OFFENDERS (SCOTLAND) (1866) BILL [H.L.]

A Bill for the better Prevention of certain Offences in Scotland—Was *presented* by The Lord ROSSIE; read 1ª. (No. 22.)

House adjourned at a quarter before Six o'clock, till Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 20, 1866.

MINUTES.]—SELECT COMMITTEE — On Education *nominated* (See p. 451).

PUBLIC BILLS—*Resolutions in Committee*—Act of Uniformity; Bank Notes (Ireland).

Ordered — Postmaster General *; Turnpike Roads *; Artizans and Labourers' Dwellings; Elective Franchise; Act of Uniformity *; Prosecution Expenses *; Bank Notes (Ireland) *; Church Rates Commutation (No. 2).*

First Reading—Postmaster General * [25]; Fellows of Colleges Declaration * [26]; Artizans and Labourers' Dwellings [27]; Prosecution Expenses* [28]; Bank Notes (Ireland) * [29]; Church Rates Commutation (No. 2)* [30].

Second Reading—Telegraph Act Amendment* [23] [*Lords*].

Committee—Cattle Plague (*re-comm.*) [7].

Report—Cattle Plague* [24].

Withdrawn—Church Rates Commutation* [12].

INDIA—THE LAHORE BISHOPRIC BILL. QUESTION.

MR. GILPIN said, he wished to ask the Under Secretary of State for India, If it is the intention of the Government to re-introduce the Lahore Bishopric Bill during the present Session?

MR. STANSFELD, in reply, said, it was not the intention of the Secretary of State, during the present Session, to re-introduce the Lahore Bishopric Bill.

IRELAND—QUEEN'S UNIVERSITY AND QUEEN'S COLLEGES.—QUESTION.

SIR ROBERT PEEL said, he would beg to ask Mr. Chancellor of the Exchequer, What changes are contemplated in the charter and constitution of the Queen's University and Queen's Colleges in Ireland, and whether it is the intention of the Government fully to inform the House before proceeding with any measure involving a departure from the present system of University Education in that country?

THE CHANCELLOR OF THE EXCHEQUER: In reply to the Question of my right hon. Friend, I had better perhaps first say—the Question in its terms including the Queen's Colleges along with the Queen's University—that no changes whatever are contemplated in the charter and constitution of the Queen's Colleges. With respect to the changes contemplated in the charter and constitution of the Queen's University, I may best describe them by saying they are such as were indicated and explained towards the close of the last Session of Parliament in the speech of my right hon. Friend the Secretary of State for the Home Department, having for their object to qualify persons who have received their education in institutions where a particular or exclusive religion is taught to take degrees in the Queen's University, and likewise to make some arrangements for the purpose of obviating and removing jealousies and securing confidence with respect to those degrees. In reference to the last part of the Question of my right hon. Friend, of course I cannot say that it would be in our power to keep the House informed of those steps severally before proceeding with them, although I am by no means prepared to say that they involve a departure from the present system of University education in Ireland. But I can pledge myself that the charter and the Correspondence will both be presented to this House at the very earliest moment in the power of the Government; and, indeed, with regard to the Correspondence, some of it is already prepared for presentation, and is about to be moved for by an hon. Member.

SIR ROBERT PEEL: Will my right hon. Friend say that the charter of the Queen's University will not be altered without being brought under the notice and knowledge of this House?

THE CHANCELLOR OF THE EXCHEQUER: Immediately that any charter varying from the present shall be issued it will be brought to the knowledge of this House.

MR. LOWE: Do I understand my right hon. Friend to say that the change will take place without this House having an opportunity of expressing an opinion upon it?

THE CHANCELLOR OF THE EXCHEQUER: I apprehend that the proceeding, such as I have indicated it, will be in conformity with the universal practice of the executive Government, enabling the responsible Advisers of the Crown to give that advice which they think most for the public interest. They will, upon their own responsibility, make known that advice to the House of Commons, fully admitting the right of the House to call them to account.

SIR ROBERT PEEL: My right hon. Friend has not answered the Question. What I wish to ask is this—has no alteration at the present moment taken place in the charter of the Queen's University? That is done by the Sign Manual of the Sovereign. Has it not been done, will it not be done, without first laying before the House the grounds which the Government have for altering the present system of liberal and united education to one of a sectarian and denominational character?

THE CHANCELLOR OF THE EXCHEQUER: That alteration has not been effected. With respect to the rest, I must refer my right hon. Friend to the answer I have already given.

NAVY—GREENWICH HOSPITAL ESTATES.—QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask the Secretary to the Admiralty, Whether a Comptroller of the Greenwich Hospital Estates has been appointed; and, if so, by whom was such appointment made, and at what salary or mode of remuneration? If such appointment has been made, to ask the name of the gentleman who has been appointed, and whether he is to be allowed to follow any business or profession, and to ask the like questions as to the appointment of the Solicitor of the Greenwich Hospital Estates?

Lord CLARENCE PAGET: Sir, the Duke of Somerset and the Admiralty have appointed a gentleman as Comptroller and likewise as solicitor of the Greenwich Hospital Estates. That gentleman has for many years been employed as solicitor. He will be paid by a fixed salary of £500 a year as solicitor, and £500 a year as Comptroller—an office which is not liable to superannuation allowance. The gentleman's name is Lethbridge.

Mr. H. B. SHERIDAN: Will he be allowed to follow any business?

Lord CLARENCE PAGET: He is to be permitted to follow his own profession.

IRELAND—THE DUBLIN AND LONDONDERRY MAILS.—QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Secretary to the Treasury, Whether the attention of the Government has been called to the alleged irregularities which have occurred during the past six months in the running of the night Mails from Dublin to Londonderry, and what measures have been taken to remedy this evil?

Mr. CHILDERS said, in reply, that the Inspector of Mails in Dublin had made a Report on the subject, and attended a Board meeting of the Ulster Railway Company, at which he requested the Directors to work their line with greater regularity. Since then the Company had got additional engines, and with the exception of the nights of the 7th of January and 4th of February, when some accidents had occurred, there had been no cause of complaint with regard to the night mails. There was no power to impose any penalties.

THE NEW LAW COURTS.—QUESTION.

Mr. CAVENDISH BENTINCK said, he would beg to ask the First Commissioner of Works, Whether he will state the names of the gentlemen appointed to serve on the Committee for the selection of the Architects who are to compete for the new Law Courts; whether the number of Architects is determined, and who is to have the final decision on the merits of the plans; and, whether he will lay upon the table the proceedings of the Royal Commission?

Mr. COWPER: Sir, in reply to the hon. Member, I have to state that by the Courts of Justice Building Act of last year, it was provided that the plans and arrangements of the Courts of Justice should be laid down by the Treasury with the advice and concurrence of such persons as Her Majesty might appoint for that purpose. A Commission, called the Courts of Justice Commission, was appointed, consisting of the Lord Chancellor and of most of the Judges and members of every branch of the legal profession. That Commission carefully considered the steps that ought to be taken in the selection of an architect. They prepared instructions, and came to a resolution that the competitors for the design of the building should be limited to six. The actual selection of these six architects has been confided to a Committee composed by the nomination partly of the Courts of Justice Commission, and partly of the Treasury. The two persons who were nominated by the Courts of Justice Commission, were the Lord Chief Justice of England and the Attorney General, the other persons are the Chancellor of the Exchequer, the First Commissioner of Works, and the hon. Member for Perthshire (Mr. W. Stirling). This Committee met, and they have selected six architects. The Committee are also to decide on the selection of a design for the erection of the buildings. With regard to the proceedings of the Royal Commission, that Commission has not yet come to any decision as to the time and manner in which they will report those proceedings. Therefore, I am unable to tell when the proceedings will be published.

In answer to an hon. Member,

Mr. COWPER said, the names of the architects chosen to compete for the plans of the new Courts of Justice were Mr. Scott, Mr. Barry, Mr. Street, Mr. Waterhouse, Mr. Wyatt, and Mr. Hardwicke.

SOUTH KENSINGTON AND THE BRITISH MUSEUM.—QUESTION.

Mr. CAVENDISH BENTINCK said, he would beg to ask Mr. Chancellor of the Exchequer, What course Her Majesty's Government intend to pursue relative to the vacant ground at South Kensington, and the erection of a building there; and whether any Bill is to be introduced this Session for the removal of any of the collections now forming part of the British Museum?

The CHANCELLOR of the EXCHEQUER: Sir, the intention of Her Majesty's Government, as I think my hon.

Friend will perceive from the Civil Estimates which will very shortly be laid upon the table, is to propose two Votes for the disposal in part of the site at South Kensington, one of which will apply to the reception of certain collections of the British Museum, and the other to the collection of Patents. With respect to the introduction of any Bill this Session for the removal of those collections, that would not come on until we have disposed of the Vote. It must necessarily follow; but until I know how that question has been disposed of, I am not able to speak of the time when the Bill will be introduced.

CONSUMPTION OF CORN AND MEAT. QUESTION.

Sir STAFFORD NORTHCOTE said, he would beg to ask the President of the Board of Trade, What amount of information the Government can give respecting the consumption of articles of food, especially corn and meat, at various periods in the present century?

Mr. MILNER GIBSON: I am afraid, Sir, that any estimate that could be furnished of the quantity of corn and meat consumed either now or in any former period during the present century would be very loose and unsatisfactory. We have the Returns of the importations of foreign corn, and they are reliable; but we have no accounts whatever of the quantity of home-grown corn consumed. Indeed, we have no statistics in this country of the extent of land appropriated to different crops. We are taking a cattle census, and if it be true that one-fourth of the cattle are annually slaughtered, we might estimate the consumption of butchers' meat; but I am informed by the Comptroller of the Corn Returns and others who are acquainted with this subject, that no reliable information is to be had from which to furnish such facts as might be laid before Parliament.

IRELAND—PROCLAMATION OF THE COUNTY OF LOUTH.—QUESTION.

Mr. S. B. MILLER said, he would beg to ask Mr. Attorney General for Ireland, Why the county and city of Armagh have been proclaimed under the Peace Preservation Act, without the inland portion of the county of Louth, which adjoins the county Armagh to a large extent, being at the same time proclaimed; and whether there is any intention of proclaiming the county of Louth, or the portion of it above referred to?

Mr. SULLIVAN said, in the absence of his right hon. and learned Friend the Attorney General for Ireland, he could state that it was intended to proclaim the sea-coast of Louth in order to prevent the importation of arms, but no reason existed for ploclaiming the remainder of the county.

ARMY—CONVEYANCE OF TROOP HORSES TO IRELAND.—QUESTION.

Mr. W. R. GORE said, he would beg to ask the President of the Board of Trade, Whether the horses of the Carabineers were moved on their route to Ireland in cattle trucks; and, if so, whether any measures were previously taken to disinfect those trucks from the seeds of the Cattle Plague?

Mr. MILNER GIBSON said, in reply, that from information he had received he found that the horses of the Carabineers were not conveyed in cattle trucks. He was informed by the authorities at the Horse Guards that arrangements had been made for the conveyance of troop horses to Ireland in horse boxes, and not in cattle trucks. In consequence of the Question of the hon. Gentleman he had communicated with the authorities of the London and North-Western Railway Company, who had informed him that in case of their having to convey cavalry horses in cattle trucks care would first be taken to disinfect and cleanse them by washing them with chloride of lime, and adopting the necessary precautions in conformity with the circular they had issued to all the managers of their traffic.

THE METROPOLITAN POLICE AND THE FENIAN CONVICTS.—QUESTION.

Mr. BAGWELL said, he would beg to ask the Secretary of State for the Home Department, Whether directions have been sent by the Home Office to Sir Richard Mayne that the twenty men of the Metropolitan Police appointed to guard the Model Prison at Pentonville should be Englishmen, and whether it is true that this duty is to be confined to men of English birth, and that no Irish constable shall be allowed to do duty there?

Sir GEORGE GREY, in reply, said, the hon. Gentleman had privately given him notice of his intention to put a Question to him relative to a statement that had appeared in one of the morning papers. All he (Sir George Grey) could say was, that the paragraph was without foundation. No such instructions had been given by him. The twenty men referred to in that paragraph were the men who were permanently stationed at the Caledonian Road Police Station for ordinary duty, and were stationed there long before any Fenian convicts were confined in Pentonville Prison. Directions, however, had been given about a month ago that two of these policemen should patrol round the prison at night. He was unable to say whether the twenty men referred to were of English, Irish, or Scotch birth.

MESSAGE FROM THE QUEEN—PRINCESS HELENA.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

"*VICTORIA R.*

"*Her Majesty relies upon the cordial interest which Her faithful Commons have expressed in the approaching Marriage between The Princess Helena and Prince Christian of Schleswig-Holstein Sonderbourg-Augustenburg.*

"*The numerous proofs which the Queen has received of their loyalty to Her Throne, and of their attachment to Her Person and Family, assure Her of their willingness to make such a provision for The Princess Helena, with a view to the proposed Marriage, as may be suitable to the dignity of the Crown.* *V. R.*"

MESSAGE FROM THE QUEEN—PRINCE ALFRED.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

"*VICTORIA R.*

"*Her Majesty being desirous of making competent provision for the honourable support and maintenance of Her second son, Prince Alfred Ernest Albert, on his coming of age, recommends the consideration thereof to Her faithful Commons, and relies upon their attachment to adopt such measures as may be suitable to the occasion.*

V. R."

Referred to the Committee on Her Majesty's Message relative to the Princess Helena.

Committee thereupon on *Thursday*.

MONUMENT TO VISCOUNT PALMERSTON.—NOTICE.

THE CHANCELLOR OF THE EXCHEQUER: I will move on Thursday next that the House resolve itself into Committee to consider a humble Address to be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of St. Peter, Westminster, to the memory of the late Right honourable Viscount Palmerston, with an inscription expressive of the public admiration and attachment, and of the heavy loss which the country has sustained by his death. I will also move that in the Address we assure Her Majesty that the House will make good the expenses attending the same.

Committee to consider an humble Address to be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the memory of the Right honourable Viscount Palmerston, with an inscription expressive of the Public admiration and attachment, and of the heavy loss which the Country has sustained by his death; and to assure Her Majesty that this House will make good the expenses attending the same, on *Thursday*.

ARTIZANS AND LABOURERS' DWELLINGS BILL.—LEAVE.

FIRST READING.

MR. M'CULLAGH TORRENS: Sir, I beg earnestly to call the attention of the House to the fact that some kind of legislation, and without further delay, should be adopted with reference to the dwellings of the class that live by labour in our great towns. The condition of these dwellings is becoming every year more disgraceful and dangerous. It is dangerous not merely to those who are without a habitation sufficient for their health and comfort, but it is a danger to those who live near them, and to the community generally, towards whom there is perpetually approaching nearer and nearer the contagion arising from these close dwellings. Every year, within the memory of the present generation, the want has grown greater and more intense. About twenty years ago societies were formed which sought by private enterprize to remedy, or at least to mitigate, the evil. I have not one word to say in depreciation of their motives, or in disparagement of their efforts. On the contrary, I think they are entitled to great credit for their perseverance in well doing. Besides these efforts, there have been others by charitable persons. First, by that noble-hearted woman, Miss Burdett Coutts, whose life seems to be devoted to doing good. A gentleman of another country, also, Mr. Peabody, but who has realized a large fortune in this country, has devoted a great portion of it to relieving the wants of the people. A gentleman residing not far from this House, Mr. Gibbs, is entitled to similar praise. I believe my hon. Friend the Member for Nottingham is a member of one of those societies which do not profess that their sole object is benevolence, but think they can combine charity with speculation. These societies have done much good; but it is impossible for them to accomplish the good which I anticipate will result from the measure I now propose. If I could be made to believe that charity and speculation could grapple with the evil with which we have to contend, I should not waste one moment in proposing a different plan of action. But I very much doubt whether charity and speculation combined can grapple with the evil, and I shall proceed, therefore, to propose a different course. Charity and speculation are but crutches at the best, and I wish to see the artizans of our towns, without obligation to anyone, inhabiting houses worthy the habitation of Christian men. I do not disparage charity and speculation, but I put it to the House whether that class on whose fidelity, loyalty, and persevering energy we rely for our greatness as a nation, are not entitled to have every facility afforded them, that they may have houses in which they can live with comfort, and in which their children can be brought up with decency. This is not so at present. From personal observation I can say that there are dark places in the metropolis in which the families of the working classes are packed together in a manner repulsive to sight and more repulsive to reflection. I am here to-night to say that if our Exchequer is full, if times are easy with the Treasury, if we can borrow any amount of money we require at 3 per cent, we should not forget the class without whose labour and loyalty these blessings could not be had. We are greatly dependent on the obedience to law, the loyalty, the order, and the sobriety of the working classes. There were times in this country when money could not be had on anything like the terms on which it can be had now, and if the country be prosperous it is because the people are orderly and loyal, and have faith in the justice of this House. There have been the means for more than twenty years for advancing out of the Exchequer sums to those classes who are more fortunate in being the possessors of power in this country. The landed interest have been abundantly helped by loans advanced to them at low interest to drain their estates. Mercantile towns, too, have had large sums lent to them at low interest, repayable, as in the other case, by easy instalments, and they have profited much thereby. Hitherto the working classes have not had any such concessions granted them; and I, in their behalf, now ask that they shall be allowed to share in the joint-stock credit. Will you deny to the working classes a share of the benefit? Will you refuse to lend money for improved dwellings if it can be shown that the security is good? The security which I would suggest is the rates of the district, or borough, or parish, where it is proposed to erect improved dwellings, or to pull down and rebuild. The plan that I suggest is, that wherever the Home Office shall be called upon by any corporate body, or, in default of the corporate body, by twenty ratepayers in any district, it shall direct an inspection to be made of any district where pestilence is supposed to prevail, or where the circumstances of the case from overcrowding have become so grave as to render the dwellings unfit for human habitation. The Home Office can then call upon the local authorities to form an estimate of the expense to be incurred by removing and rebuilding, these estimates are to be published by the Home Office; and then it shall be competent for the Public Loan Commissioners to advance on the security of the rates of the borough, or district, or parish, such sum as will enable the work to be done. I do not prescribe, or attempt to prescribe, or to limit the discretion of the Home Office, but I invoke its aid in this matter, because hitherto the local power and the central power have been placed in antagonism. I do not think we can depend on this need being supplied by permissive legislation. The Bill introduced a few nights ago by the Under Secretary (Mr. Childers) is, in principle, a permissive Bill. That Bill grants loans to municipalities, public companies, and private individuals for the purpose which I have in view; but it does not secure that what I have in view shall be accomplished. It is solely a permissive commercial Bill; whereas the ground of my application is that unless measures be taken to insist on the want being met, the people will be left in their misery and helplessness. As a permissive measure, that of the hon. Gentleman is ample; but in large towns, where the want is more greatly felt than anywhere else, no dependence is to be placed in the efficacy of spontaneous action. Experience has proved it is futile to depend upon voluntary effort in a case of this kind. Until we can put a system in operation which does not depend on the ignorance or the selfishness of individuals, we shall never reach the evil. With regard to the question of repayment, we have promising and even flattering statements of the profit that can be made on these buildings. If any think that 6 or 7 per cent may be made by investing their capital in the building of houses for the labouring classes, by all means let them so invest it; for the more that is done the better I shall be satisfied. The Census of 1861 cannot be accurately analyzed with reference to class, but I believe that those who live by daily labour within the bills of mortality number 648,000; whereas the improved accommodation provided during the last twenty-two years by voluntary and charitable efforts, is sufficient for no more than 9,000 persons. If this be the result of charity and speculation combined, are hon. Gentlemen willing to leave for a single year great masses of population to live in a state which nobody will for one moment pretend to say is fit for any subject of the Queen? In many cases one, two, three, four, and even five families are obliged to live in a single room. Births taking place there, deaths taking place there. I am not exaggerating, and I am referring to honest, upright artizans, whose well-being ought to be dear to all. As the inevitable result, there is pestilence; and fever holds its never ending revel there. I could multiply too easily the evils resulting from the system. These places are the well-heads of pauperism—the springs of demoralization, decrepitude, and death; and, until they are dried up, to expect health in the inhabitants is vain. I asked Dr. Rendle, of St. George's, Southwark, how he thought he would be able to grapple with the evil in his parish. The reply was—

> "Of course, any help will be useful; but Alderman Waterlow's, Mr. Peabody's, Lord Townshend's, or any other scheme will be as nothing unless some systematic, legal, and compulsory Act is passed."

Dr. Bruce, the medical inspector of St. Luke's, says—

> "I speak from personal knowledge, and say that in numerous instances the houses of the industrial population are a disgrace to our civilization, and a source of danger to the health of the community. The present state of things is a direct and steady feeder of pauperism."

To get rid of them we must get the Chancellor of the Exchequer to lend the money. I do not ask for London alone. Liverpool is as anxious for the passing of a compulsory Bill as London. Dr. Trench, head of the sanitary department there, says that something of the kind is indispensable. Glasgow will be only too happy to avail itself of the power asked for. Newcastle-upon-Tyne will be too thankful. I admit that I am bound to show that what I wish for may be granted without loss to the Treasury, for I should be sorry, on the part of the working classes, to come here asking for a dole. I might, indeed, urge that in equity they have a claim even for that, after the sums which have been so liberally, and I do not say unwisely, lavished on more favoured portions of the community. But I waive that, and I undertake to say, that if the Treasury will allow thirty years for repayment, and lend the money at 3½, or even at 4 per cent, it will be faithfully repaid. It may be said that the rates will be damnified; but I deny that, inasmuch as the rental of the improved dwellings will be available to recoup the rates. If, however, there shall unhappily be some loss, no man conversant with the relief of the poor will deny that the ratepayers will be more than compensated by the diminution of pauperism and consequent diminution of poor rate which will be caused by improved dwellings for the people. I may be told that we have no more right to interfere with free competition in the building trade than we have to interfere with it in any other trade. I speak in the presence of great economical authority, and I venture to invoke that authority without the least knowing what the answer will be. I ask also, "Are we to have free trade in fever? Are we to have fever factories created and supported amongst us without stint?" Do the wealthy residents of the West End know from what infected shops or from what fevered hands their furniture, or their clothing comes? It may be asked, "Why not procure cheap trains, and send the workpeople out of town?" But workpeople must be near their work. Ask any employer of labour whether he wishes his workmen to come early to their work, dry and warm, and in good heart, or to come from the country perhaps drenched with rain or blanched with cold. All the employers I have spoken with on the subject agree in saying, "Whatever you do let us have our people around us." I indeed met with one exception, but in that case the employer said that he should take his factory out of town. What we have to do is to rectify that economical law by which capital exercises a kind of centripetal force over labour, causing it to flock to great centres of employment, and then neglecting the countervailing precautions which ought to be taken to prevent the mischief thus caused. Dr. Trench, of Liverpool, states, as the result of his inquiries there, that in 52,000 houses the workpeople of that town actually enjoy but one-third of the quantity of cubic feet of air which the law prescribes shall be provided for prisoners in gaols! Surely the working population are better than felons. I hope, and I believe, that the Chancellor of the Exchequer will give the subject a wide, a broad, and statesmanlike consideration. I do not desire to alter one word of the Government Bill; but let us not leave the working classes to the mercy of charity, or to the chance of speculation. Speculators we all know will never do more than choose the sunny spots. But let it not be said to the people, now we have taught them to value education and to read a cheap press, that the House of Commons has not time, or inclination, or money to entertain a subject of this vital importance to their interests.

Mr. LOCKE said, he seconded the Motion, and would remind the House that this was no new question. The question was one that had been for several years before the country, and whatever view hon. Members might entertain with regard to the Bill about to be introduced, he was sure that there was not one of them who would not admit that the subject was one that demanded their most serious attention. He did not think the question was second to any that could be brought forward for consideration by that House. What was the condition of the people, not only in this great city, but in the other large towns throughout the Kingdom? It must be obvious to everybody that, in point of fact, there was not a sufficient number of habitations provided for the people, and the greater portion of the dwellings in which they did reside were totally unfitted for the purpose. Many benevolent persons had, no doubt, hitherto stepped forward for the purpose of rendering all the assistance in their power. A most munificent gift had been made by Mr. Peabody, and that gift he believed had been dealt with in a manner to make it as beneficial as possible. But that was really only as a drop in the ocean and could not effect much. It had, however, effected one good thing—namely, that with respect to the houses that had been built, it had furnished a model for other persons hereafter to follow. With respect to private speculation one thing was clear, and that was that capitalists would not invest their money in property of this description, because as respected ordinary house property the sum that ought to be received by a landlord was no less than 7 per cent profit upon his outlay, and he was not aware that Mr. Waterlow's scheme had ever been supposed to have produced more than 5 per cent. Such being the case, he did not think it at all likely that that improvement which was so desirable in the dwellings of the working classes would be carried out unless some compulsory Act was passed by that House. The proposition made to meet the difficulty was extremely simple. Where certain blocks of houses were discovered to be of a dangerous character, and unfit for habitation, the machinery might be put in force, which, under the Land Clauses Consolidation Act, enabled the local authority to take the property, compensating the owners in the usual way, and to fit it for residences for the working classes. The object in view could not, however, be effected unless the Government were to step forward and lend the money for the purpose, and he should appeal to his right hon. Friend the Member for Pontefract, who had already introduced a Bill on the subject, to take the proposal of his hon. and learned Friend into consideration, and to see how far its provisions could be accommodated to the end sought to be attained. He sincerely hoped that the Bill of his hon. Friend would meet with the best consideration from every Member of that House.

Mr. KINNAIRD said, he wished to tender his thanks to the hon. Member for Finsbury (Mr. M'Cullagh Torrens), for having directed the attention of the House to a subject of such interest and importance.

Mr. CHILDERS said, that as the House was anxious to proceed with the Cattle Plague Bill, he should only say a few words with regard to this subject. The Bill of the hon. and learned Gentleman differed from the measure of the Government in this respect, that it gave compulsory powers to take land, and to obtain money from the Exchequer Loan Commissioners, whereas the Bill which he (Mr. Childers) introduced gave a voluntary power of borrowing money. He could only say that he would consider the plan by which the hon. and learned Gentleman proposed to carry out his proposition, and if that plan was feasible it would give him much pleasure to do what the hon. and learned Member for Southwark (Mr. Locke), wished him to do. At the same time he must say that he saw, on the part of those who had charge of the public purse, difficulties which must be surmounted before the plan could be carried out.

Motion *agreed to.*

Bill to provide better Dwellings for Artizans and Labourers, *ordered* to be brought in by Mr. M'CULLAGH TORRENS, Mr. LOCKE, and Mr. KINNAIRD.

Bill *presented,* and read the first time. [Bill 27.]

ELECTIVE FRANCHISE.—LEAVE.

MR. CLAY said, although I have no reason to expect that the permission which I am about to ask will be refused to me, yet, as my proposal involves an entirely new principle, I should be wanting in respect to the House if I did not in this first stage of my Bill explain its principle, and in great part its details. I will endeavour to show my gratitude for the patience which I respectfully ask from hon. Members, by compressing into the smallest possible compass that which it is necessary that I should say. In seeking, then, to extend the elective franchise in cities and boroughs in England and Wales, my proposal in no way interferes with any existing franchise, but it contemplates any man of full age, and not otherwise disqualified, but not having a vote by any other title, shall have the right to demand to be examined. This examination I will hereafter describe. On his passing it to the satisfaction of the Commissioners, acting on the rules which they observe in similar Civil Service examinations, he will receive a certificate. This he will present to his town clerk, or other officer in non-corporate boroughs, charged with analogous duties, and he will be entitled to be placed on the register of electors. The words "full age," mean twenty-one years, but if a Committee of this House should think fit to raise the age to twenty-five years, I should see no objection to the change. As it is necessary to provide against a sort of wandering population of electors, I propose that no man can claim to be examined until he has resided six months in a place. It is easy to increase this term to a year should the House deem it advisable. I consider six months to be sufficient. If the voter leaves the place, he applies to the town clerk for his certificate, and is removed from the register. His title remains good in his new place of abode, but he cannot claim to be registered until after six months' residence. I may here say that I have good reason to believe that no serious mechanical difficulty exists in my scheme. In the year 1859 I served on a Committee to consider the working of the Civil Service Examinations, and one subject of inquiry was, how far it would be practicable to give to every man in the country the right, without nomination, to be examined as to his competence for different situations in the Civil Service. It is clear that such an idea contemplated an immense number of examinations—probably quite as many as would be required by this Bill, and certainly of a much more elaborate character. The gentlemen connected with the Commission, whom we had the advantage of examining, saw no difficulty in the task proposed to them, and Mr. Horace Mann put in a plan by which he proposed to accomplish it. But beyond this I know—not officially, indeed, but privately—that gentlemen connected with this Commission see no serious difficulty in the scheme which I have now the honour of explaining. The examination which I propose is very nearly that which is exacted from the lowest class of outdoor officers in the Customs service — being writing, spelling, and the four first rules of arithmetic, compound as regards money, a matter with which every one has to deal; not as regards weights and measures, this being a speciality of the Customs service. If a man can write and spell, I take his reading for granted; as it is advisable that this examination should be entirely conducted by papers to be examined only by the Civil Service Commissioners, a local examiner being liable to the charge of a party bias. The Commissioners would be bound to examine each candidate within four months of his application. They would, from time to time, as occasion required, appoint in any borough in which there were candidates for examination, an officer whom I will not call an examiner. His duties would be confined to handing to the different candidates sealed papers which he would have received from the Civil Service Commissioners, sealing up and returning to the Commissioners the answers, keeping order in the room in which the candidates would be assembled, and watching that they did not receive any improper assistance. Beyond this, he would probably be required to read three or four easy sentences, which, from his dictation, the candidates would write, as their exercise both in writing and spelling. The expense of these examinations would not be great, and I am assured it would be amply recouped by a fee of 1*s.*, which I propose that each candidate should pay on presenting himself for examination, and a second fee of 1*s.* 6*d.* to be paid on the receipt of the certificate. Now this proposal affects, first, the classes who possess the required information, and to whom this examination will be a matter of very little time, and of still less trouble. Very many, as we well know, though it is difficult to calculate their number, in our own class of life, who from accident have no vote—clergymen, members of learned professions, and others; teachers, of whom there are 24,000; next, commercial clerks, of whom there are nearly 60,000, but few of them enjoying the franchise. After these we come to assistants in shops, the majority able to pass the examination which I require of them. As to the numbers of these there are no certain statistics, but I shall not be wrong in putting it as greatly in excess of that of the commercial clerks. As to these two last classes, I may say in passing that I have not questioned any one of them—and I have spoken with many—who has not assured me that this proposal would be received by them as a most acceptable and sufficient boon. But these are the classes which all of us, so to speak, have expressed our willingness to admit to the right of voting, and whose admission we have contemplated by various "fancy franchises," as they have been called in undeserved derision. My proposal would render all these schemes unnecessary. But there is yet another class, who already possess the knowledge which my Bill requires—I mean the most educated of the working men. My hon. Friend the Member for Leeds, acquainted as he is with the members of mechanics' institutes, and other similar societies, will be the first to admit that these are in no insignificant number. But Members from all parts of this House, and speeches on every hustings, have professed willingness to admit to the franchise the intelligence of the working classes, if any means could be devised of finding it out. I offer this plan, if not as a perfect, at least as the best way of making the selection. My proposal, however, equally concerns those who have little or no education, and who, to obtain a vote, must take no little pains to master the acquired knowledge; and these are, no doubt, the bulk of the working men. I have perhaps as much experience as any one of the demand made on the perseverance of these men—and even of men in a somewhat higher social position, say, the sons of small shopkeepers—in order that they may pass such an examination as I have described. For since the commencement of these examinations I have watched with great interest, and not without knowledge of the men themselves, and of the result of their labour, all the appointments in the Hull Custom House, which, as hon. Members know, is one of the largest in the kingdom. I say, then, with confidence, that though the working man of average intelligence can master this examination if he chooses to do so, he must, for this object, sacrifice to the schoolmaster his leisure hours, few and uneasy as they are, for three or four months at least. When he shall have done this I shall welcome him to the franchise. I shall trust him freely, not for his little smattering of learning, but for his earnestness; for I am fully convinced that the best guarantee we can have that a man will be a sensible and trustworthy voter is his own anxious desire to acquire a vote. I am not fond of the expression "an educational test," as applied, at least, to this Bill. As regards the educated, I look on this examination as a test of social position and trustworthiness—not, indeed, a perfect one—no such test can be perfect—but as being at least as good as the living in a £10 or a £6 house. As regards the uneducated, I look on it as something much better—a test—in this case a perfect test—of honest earnestness. There is a general belief in this House and in the country, which no one entertains more sincerely than myself, that something must be done in the way of extending the elective franchise. There is a desire still more general—that whatever is done may be a settlement of the question. There is a fear on the minds of many that any mere lowering of the property qualification, far from being a settlement of the question, can only make a further step in the same direction more rapid and inevitable. Nor is this fear unreasonable, for as long as we consider property to be the only qualification, it is clear that there is no sure standing-ground until we have reached the lowest symbol of property, whatever that may be. I offer, then, this measure as at least promising the condition of permanence; for should it become law, I cannot see that any man in the country, as far as the boroughs of England and Wales are concerned, would have reasonable ground of complaint on the score of exclusion. I will now notice, very shortly, the objections which have been made, in conversation, to my scheme, and which—some of them at least—may be made during its discussion here. I have been reminded that, more than thirty years back, an educational test was a favourite idea with Lord Brougham and other political thinkers of the day, and that it was abandoned as impracticable. And this is true, but these great authorities proposed their test as the basis and sole title to the elective franchise. It was objected to this idea, and the objections prevailed—first, that to obtain a sufficient number of voters the test must be so low—mere writing the name perhaps—that practically it would amount to universal suffrage; secondly, that the conduct of such a vast number of examinations would be so troublesome and so expensive as to be almost impossible. But these objections, cogent or otherwise—as to which there may be much difference of opinion—do not apply to my proposal. The examinations under my Bill, though doubtless very numerous in the first year or two, would not be, as I have endeavoured to show, in such numbers as to present any very serious difficulty, and as I only propose a new franchise in addition to those which exist, it is not necessary to put the test very low. Again, I have been asked why my Bill does not extend to the counties. Well; it seems to me that, in that which I have proposed, I have gone to the extreme limit to which a private Member of this House should venture, and that it is more fitting that the county franchise should be dealt with by county Members. But beyond this, my plan is not as applicable to the county as to the borough franchise. The inhabitants of all towns have easy and very cheap access to the schoolmaster. Not so with a rural population, who would probably have to go so far—to encounter so much trouble and expense—in order to find the instruction they need, that, as regards them, my plan would be almost inoperative. Not a few have suggested to me that, if one man is to be examined, all should be so. That all should be passed through the same sieve. This idea I wholly dissent from, and conceive that it would be the same mistake, which, to my thinking, we make at present—namely, to recognize but one title to the franchise. We now, with the exception of our freemen, admit no title except property. I wish to establish a second title—intelligence. Let a man pay in some shape for this privilege. If he cannot pay in money let him pay in mind. Under our present system we do not require property to be intelligent. I shall not ask intelligence to be rich. Some tell me that my scheme is almost universal suffrage; others, that it sounds well enough, but that practically it would admit scarce any of the working-men, who would not take the trouble which this Bill imposes on them. In this conflict of opinions I might almost leave the one to answer the other, and flatter myself with the belief that I had hit on a happy medium between the two. I will, however, admit to the first objection, that it is possible enough that in years to come—years which none of us may expect to see—the principle which I seek to introduce, even with a higher test, may lead to something like universal suffrage. But it would be by a slow and safe progress, such as has gradually made our Constitution that which it is—a progress to which our institutions would gradually and safely adapt themselves, much more gradually and safely than to the same result, arrived at in a much shorter time, by a constant lowering of the property qualification, which I take to be inevitable, if you are resolved to retain property as your sole title to a vote. I may be asked, where is the condition of permanence in my scheme? I may be told that my test may be as gradually lowered as a property qualification. I deny it. I see permanence in this. My test is so low that no man would have any ground of complaint on the score of exclusion, which he would not be ashamed to urge. I see permanence in the well-known tendency of examinations rather to become more strict than more easy. More than in either of the foregoing reasons, I see permanence in the double title to a vote. Each would take care of the other. The householder would oppose any debasement of the educational test. The man who voted in virtue of his certificate would oppose any lowering of the property qualification, and would say, "Let my neighbour take the same trouble which I have taken, and obtain a vote as I have done." But now as to those who allege that practically scarce any of the working men would avail themselves of the advantage which this Bill offers to them. I do not believe that it would be so, and my hon. Friend the Member for Leeds, who knows the working men well, will be as incredulous as I am. I should be very sorry that this objection should turn out to be correct, for I admit that my first wish in making this proposal has been to benefit the working-man. But if this objection should be well-founded, what would it prove? That the working classes have no great anxiety to possess the franchise. That their smarting sense of injustice at being excluded from it—their abiding feeling of injury—has no foundation in fact, and exists only in the imagination of those who profess to speak in their name. Lastly, there are not a few who tell me, Why do anything at all? The country is prosperous and contented. Poll it from one end to the other, and a large majority will be found in favour of leaving things as they are. This may be true. I believe that it is true as regards existing constituencies. But, though a large majority of the country may prefer to leave things as they are, it is impossible to do so. A large party in the country do ask for Parliamentary Reform, and to that party all of us, so to speak, are pledged. It is true that our pledges have been chiefly given when the state of feeling in the country was very different from that which it is now, and when there were practical grievances to be redressed. Still we have given pledges from which we should be ashamed to escape—we have raised hopes which we may well be afraid to disappoint. Our position is this: suppose a dozen men, of whom eleven owe a debt to the twelfth. No doubt a large majority of this body would prefer not to pay. But they must pay, or be dishonoured. Let no man please himself with the belief that it is possible to shuffle this matter off, and let it be forgotten. Rather let him consider in what coin it is most wise and honest to pay a debt from which there is no possible escape. As to the details of my Bill, I shall listen with interest and respect to the suggestions of my friends; but there is one point on which I should be unwilling to give way at all, but as to which any material change would affect the principle of the Bill, and destroy its purpose. I mean any proposal materially to raise the standard which I have suggested. Raise the standard of your examination, carry your arithmetic to fractions, and ask for some knowledge of history, &c., and you will no doubt get a valuable addition to your constituent body; but you will not do that which this Bill proposes to do. You will not take away the ground of complaint on the part of the working classes that they are excluded from the franchise. Expect them to pass an examination which not more than one in 5,000 of them could master, and your proposal is a delusion—almost an insult. If you shut the door so close, you may as well double-lock it at once, and leave the working classes to find their way in by some access more easy, and less safe. I have now, I think, trespassed as long on the patience of the House—a patience for which I am very grateful—as it is at present necessary that I should do. I am aware that the novelty of my proposal may startle the timid, while its moderation may fail to satisfy the rash. But I am myself honestly convinced that it is a wise and safe measure—but that I fear to be charged with presumption, I would say the safest and the wisest. However this may be, I offer it as my contribution to the great discussion of Parliamentary Reform, and with sincere diffidence, but not without hope, I commit it to the consideration of the House.

MR. GREGORY: Sir, whatever may be the judgment of the House with regard to the expediency or the practicability of the Bill of my hon. Friend there can be no difference of opinion upon this point—that this is a question deserving the most serious consideration, and one which well warrants a searching discussion in this House. I respond entirely to the words of the hon. Gentleman's speech in which he has expressed an opinion that the sentiments of Her Majesty's Government, so far as they can have formed an opinion up to this moment, should be given in the course of the evening with regard to the proposition of my hon. Friend. The House will bear in mind that this is no effort of mere political dilettantism; that this is not the speech of some new Member anxious to obtain a name for originality and for daring. It is a proposition from a Gentleman who has long been in this House; who represents a large and intelligent constituency; who has himself taken part in almost all the great business of this House for many years; and who has brought to bear upon every question which he has treated an amount of practical good sense and solid judgment which has always obtained for him the attention and respect of the House. Moreover, my hon. Friend has always taken his stand in what I may call the ranks of the most advanced portion of the Liberal party, and therefore no one can throw out the imputation against him that he has made this proposal for the purpose of endeavouring to shelve or stifle this question of Reform. This Bill may be looked upon, as the hon. Gentleman described it, from a two-fold point of view. We may look upon it either with regard to its own intrinsic merits or as an alternative to the Bill which has to be proposed by Her Majesty's Government. I do not hesitate to say that I accept it as a good Bill in itself, and I am bound to say so because, having voted last year against the Bill of my hon. Friend the Member for Leeds (Mr. Baines), I might possibly be open to the suspicion that in supporting this proposal I am actuated by an endeavour to throw confusion into the Liberal ranks and to impede the Bill to be proposed by Her Majesty's Government. I may, however, state that in the conclusion of my remarks last year upon the Bill of the hon. Member for Leeds I said that although I would oppose that Bill, yet I would say "aye" without misgiving or hesitation to any Bill which would have for its object the enfranchising of those of the working classes whose enfranchisement would be for the benefit of the country. The time has come when I am able to redeem that pledge, for I think that the Bill proposed by my hon. Friend is one that will enfranchise that portion of the working classes whose enfranchisement will be for the benefit of the country. I think the Bill hits precisely that class of workmen alluded to by Earl Russell yesterday in his answer to a Scotch deputation that went to him. He said there was a certain class of intelligent and skilled artizans, each of whom were debarred from the franchise, because he was obliged to live in a house the rental of which was less than £10, inasmuch as he had not the means of taking a larger house and providing, at the same time, for the education of his children. This Bill will admit that man to the suffrage. Not only, therefore, do I advocate it upon that ground, but I advocate it upon the broad ground that it would be advisable and expedient to admit, if they are not already admitted, the *élite* of the working classes to the suffrage. I entirely agree with some observations made by the noble Lord who proposed the Address to Her Majesty at the opening of this Session. The noble Lord said that—"The greater the number you admit to the suffrage the greater the power you confer upon the decisions of this House." I adopt that expression of the noble Lord, but with certain qualifications, and those qualifications are these:—that those numbers whom you introduce into the suffrage should either bear with them that interest in the institutions of the country which is derived from property, or that they should bear with them that interest which *primâ facie* men of intelligence and men of education in the mass may be presumed to take in all questions affecting the State policy of the country. I think my hon. Friend's Bill hits that case precisely, for the existing franchise provides for the property qualification, and the Bill of my hon. Friend provides for the question of education and intelligence. My hon. Friend in the course of his speech has referred to certain difficulties which have been alleged against the Bill, and the most important of these seems to be that one Gentleman says the franchise would be too narrow, while another says it would be too wide. With regard to the charge of its being too narrow, I am quite prepared to go with my hon. Friend, and to say I do not believe that, at the present moment, the adoption of his Bill would admit a very large or at all a preponderating portion of the working classes. I believe my hon. Friend the Secretary for the Treasury if he were in his place would bear out this assertion. Without attempting to compare the standard of English with Irish education, I know that the Secretary for the Treasury is too often obliged to write letters expressing the deep regret with which he announces to myself, or to some other Gentleman, that some young person in whom we have taken an interest has not been successful, notwithstanding many months of preparation, in obtaining the desired appointment of an outdoor officer of Customs. If that be so on the one hand, look on the other at the number of persons—a most valuable class of competent men of business—engineers, lawyers, attorneys, and clerks—every one of whom, if they have not already obtained the franchise, would be admitted to the suffrage according to the scheme of my hon. Friend. And thus you get rid of all those multitudinous and intricate schemes of "fancy franchises" which have been raised within the last few years. On the other hand, there are those who say that in a short time this franchise would be so extensive that it would almost amount to a universal suffrage. I quite agree with my hon. Friend that a very long period indeed must elapse before that takes place; but even if it should come to universal suffrage, all I can say is, "so be it." All I can say is, that if you do come to universal suffrage by this Bill you will have taken the danger out of it, because universal suffrage will then be divided amongst an educated and reflecting body who have been long in training in a course of political education. If we are to be smothered or to be swamped, I had much rather be drowned in a butt of malmsey than in a barrel of swipes. No doubt there are many difficulties connected with the measure which has been called "Chinese," pedantic, coxcombical, with a variety of other uncomplimentary terms. The worst thing I have heard about it, however, is that it is a new thing. I have heard the expression, when my hon. Friend has been passing, "There goes Confucius," meaning by that that my hon. Friend was or would be a lawgiver who would administer this country on the Chinese system, that of *literati* and competitive examinations. I think the discussion upon this Bill ought not at the present to extend to its machinery, but should be confined to the broad principle of it as to a theory deserving consideration. I think I may quote, and call as advocates for the Bill, all those Gentlemen who have taken the most prominent part in the discussions on Reform. I think I may call my hon. Friend the Member for Leeds himself an advocate for the Bill, for in all his speeches the main point he has alleged has been the amount of instruction possessed by the upper portion of the working classes. He has referred to the extension of mechanics' institutes; to the number of cheap periodicals they take in; to the newspapers exclusively representing; and to the quantity of literature consumed by the working classes. It is their intelligence and not their wealth that has moved the heart of my hon. Friend. Though perhaps he may naturally prefer his own £6 Bill, comparing it with this Bill, still I think I may quote him as an advocate. There is a gentleman, however, who knows as much of the working classes as my hon. Friend, who might be described, as I saw a statesman defined in a passage I read in an American paper the other day, as a "stock, lock, and gun barrel Radical." I mean Mr. Holyoake. He wrote a pamphlet last year —a pamphlet in which I found much to disapprove, I am bound to say, but which I may describe as being both spirited and honest. I quoted a passage from it last year, and I will now venture to quote a portion of it again, because there are a great number of Members of this House now who did not hear me read it then, and it is a good thing that will bear repeating. Mr. Holyoake says, with reference to the £6 franchise—

> "I know towns where ardent Reformers are afraid of an unqualified suffrage. Good Radicals, the most thorough of their class, have said to me, 'There is a mob in our town (there is in every town), ignorant, selfish, venal, and reckless of principle. Had they voted, our Liberal Members would be unseated at the next election. They would vote against those who seek to raise them.' This is the general feeling in Liberal boroughs. Now there is no plan of a £6 suffrage which selects the worthy and excludes the base. All £6 suffrage is blind, and hence we have Radicals arguing feebly, and fearing much the result of the very measure they plead for. Surely, this is political imbecility."

We might next call upon the Chancellor of the Exchequer to support the Bill. We all have engraven on our minds the celebrated speech of the right hon. Gentleman, in which he said—

> "If we debar a man from the suffrage, the onus of proof rests on us to show that he is incapacitated by some considerations of personal unfitness or political dangers."

Now, I think this Bill meets that expression of the Chancellor of the Exchequer to a hair. Here you have expressly excluded, by the Bill of my hon. Friend, those two qualities which would most conduce, in my opinion, to "personal unfitness and political dangers," namely, ignorance and guilt. Now, I would go farther than my hon. Friend, and touch upon another point, to which he did not allude, but which I think is a recommendation to the Bill. I think a franchise of this description would have the greatest tendency to check venality and corruption. I am not prepared to say that because a man is able to do a sum in multiplication he would not take a bribe; but I do say that when you have men in the suffrage who can read and write and reflect, and who can canvass among themselves the merits of a candidate—I do say that these men are less likely to be actuated by degrading and venal considerations, and that they would be more likely to return representatives of a higher class to this House, than a constituency formed by a mere lowering of the suffrage. I was travelling only recently with a gentleman from Australia—the Mayor of Melbourne—and he said to me, before I knew of the principle of my hon. Friend's Bill, "We are endeavouring in our Australian colonies, and a great number of enlightened and thoroughly liberal men are working, to establish, if possible, an education franchise in lieu of that almost universal suffrage which has become almost intolerable." Now, I say, if you give your countenance to a measure such as this which we are discussing, and do not throw it lightly on one side, you will add materially to the efforts of those people in Australia. And now let me say a word with regard to Ireland. If you are going to give England a Reform Bill I am convinced you will not deny it to Ireland, and if you brought in a double-barrelled Bill—a Bill for the re-distribution of seats as well as dealing with the franchise—I do not suppose you would refuse a similar Bill to Ireland, where you have a number of small boroughs, composed of less that 150 or 200 voters, many of them notoriously the hot-beds of corruption. You would be, of course, prepared to sweep away a number of these small boroughs, and to add their representatives to great and populous counties, and to the large towns, such as Kingstown and Belfast. I presume you would also have something to do with the franchise. Now, I have heard many a complaint made of the want of independence of thought in some of the constituencies, but I have never heard any man in Ireland, however Radical he might be, try to remedy that want by advocating the lowering of the suffrage. But were you to give such a suffrage to Ireland as that advocated by my hon. Friend, you would greatly strengthen the intellectual capacities of the constituencies. I will now turn from Australia and from Ireland to that small geographical point in which we on this side of the House are sitting. As for our own position, I cannot look on it with much hopefulness or satisfaction—ominous indications rise around me everywhere; strange whispers reach me from very Liberal mouths of a deep aversion to a £6 franchise, whether it be rating or whether it be rental. We do not know the Government proposal as yet. It may be a very beautiful composition, endowed no doubt with all those charms which the mature experience and the youthful ardour of the Cabinet can confer upon it. But "those whom the Gods love die young"—and I am sorry to say that I have heard on too many occasions that a considerable number of its nurses, if they only get a chance, are prepared to "overlie" and suffocate it. If the Government bring in a single-barrelled Bill, they know very well that they and their Bill will be as dead as Julius Cæsar within a month of its birth; shot down in the rear by your own men. If they bring in a double-barrelled Bill, they know that there are a number of hon. Gentlemen in this House, representatives of the doomed boroughs, who, notwithstanding their political allegiance, are not prepared to march before the Treasury Bench and to say to the Chancellor of the Exchequer—"*Ave Cæsar Imperator! morituri te salutamus.*" Rely on it, they will die hard, and perhaps a great deal harder than the Bill. Well, then, which is the next process? We go to the country, which is indifferent if not hostile, jogging along in the old rut, in which you have already upset the coach, and what have you to rally round you the intelligence and enthusiasm of the nation? Have you no other standard than that wretched £6 old Aunt Sally, which has been so pelted with mud and battered — now rental and now rating—that it has lost all identity, and no one can tell what to make of it. What we want is something that will hold out to us a prospect of finality—something that will settle the question—something that will rid us of this endless annoyance and interruption of all business—and I think I see some prospect of that in the proposal of my hon. Friend. I met an American gentleman the other day, and he said to me, "This Reform Question of yours is something like an attack of the gravel—it utterly diverts your mind from everything else, and when other business is proposed it becomes a mere excuse and obstacle." I am looking for something which partakes of the quality of permanence, something large and liberal and yet thoroughly safe, something that will touch a stronger and higher chord throughout the country, if you appeal to the country, than this unseemly apologetic *ad misericordiam* plea of—"We must do something!" I wish for something that will arouse the enthusiasm and intelligence of the country—some measure calculated to elevate the character of the constituencies rather than debase it—and because I think I find these elements and qualities in the Bill of my hon. Friend, I shall give it my cordial support.

LORD ELCHO: Sir, I do not rise to enter into the general question of Reform, as I know that the House is anxious to resume the discussion of the Cattle Plague Bill, but I am anxious to say a few words with reference to the Motion of my hon. Friend, because the measure he proposes is a novelty in this House, though the idea that pervades it has pervaded the writings of great political thinkers. Accustomed as we have been, on the subject of Reform, to denunciatory eloquence—uttered as some think neither rightly nor reasonably—not only in this House, but on the platforms of Birmingham, Manchester, and Rochdale—and used as we are to regard those speeches as the oracular utterances of the advanced Liberal party in this House and the country—it is quite refreshing to find a gentleman of advanced Liberal opinions—and no one can doubt that the hon. Member for Hull is a gentleman of advanced Liberal opinions any more than they can doubt his ability, honesty, and integrity of purpose—instead of denouncing our institutions and abusing his opponents—instead of endeavouring to palm off upon us the £6 franchise as a panacea for all political evils, it is a refreshing change, I say, to find such an authority bringing forward a measure of Reform which makes intelligence and education the passport to the suffrage. In doing this my hon. Friend follows in the wake of Mr. Hare, of the hon. Member for Westminster (Mr. Stuart Mill), and other political writers. None of those writers have spoken more strongly against the suffrage being given without some educational test. The hon. Member for Westminster especially insists most strenuously in his writings upon every man obtaining that position in the State to which his acquirements entitled him—that a master of arts should have more influence than the voters proposed by the hon. Gentleman. Such a test as that proposed by the hon. Gentleman—and, indeed, I believe that it is one of the arguments which the hon. Gentleman himself urged in its favour—would be in itself a test as to the sincerity of the voter in his desire to obtain the franchise. There are many hon. Gentlemen who are sceptical of the honesty and sincerity of working men upon this point, and the passing of this measure would have the effect of showing whether these objections are well founded or not. My hon. Friend proposes an educational test, instead of the rude principle of franchise we have hitherto had; and it certainly has the advantage that it will give a good educational stimulus to the country. Then, again, it will not increase the anomalies of the present system, for instead of admitting, as the £6 franchise would do, the provident and the improvident alike, it will let in only those who are intelligent, provident, and in earnest. It will meet further that great difficulty, the extension of the franchise to lodgers. Under the present system a Rothschild or a Mill has no voice in the Constitution unless he is a householder. So far for the reasons in favour of this Bill; but there are many serious and varied objections to it. In the first place, it is novel, and, in some respects pedantic, neither of which is a quality much relished in this House, and when they are found combined, the prospects of carrying the Bill are somewhat remote. Again, the measure does away entirely with the property qualification, and establishes for the first time an educational test alone as a title to the franchise. In the next place it abandons the principle of class representation, and adopts that of individual representation. The principle of class representation has been endorsed hy a high authority—the hon. Member for Birmingham—who, in a recent speech at Rochdale, said that ours was not a system of individual but of class representation. Again, it will admit a clever man without any character—a burglar, for instance, if unconvicted. Counsellor Caseley, of whom we have heard so much lately, might have passed such an examination; and, therefore, mere intelligence without property or character would admit persons who had no interest in the security of the State. Lastly, I do not think it would necessarily be final. The hon. Gentleman looks to the measure as final, and gives as one reason for his belief that a standard of education once adopted, men would be ashamed to come and ask for it to be lowered. The hon. Gentleman further sees no danger of the standard being lowered, because the tendency of all examinations on those who have passed them is to screw up the test rather than down. The hon. Gentleman, however, does not consider what would take place in this House, although his view may be true as regards those out of doors. Judging by analogy, and reasoning from the past, we should have Members in this House attempting a short cut to distinction, by bringing forward Motions to lower the educational test, just as they now do to lower the borough franchise. One gentleman might move the omission of arithmetic from the examination, and another who had an inveterate hostility to the letter "h," might move that that letter should be cut out of the alphabet of the Civil Service; and we might have some future Member for Leeds, after a walk of two hours through the streets of Leeds, coming to the conclusion that the working classes were so universally wise that they might safely be admitted to the franchise without passing through any examination at all. Therefore I do not see that the doctrine of finality is a necessary result of the measure. If it is put to me whether I could support the Bill in the abstract I should vote against it; but it will have to be considered not in the abstract, but in connection with the Bill to be brought in by Her Majesty's Government. On the nature of that Bill will depend the view I should take of this measure. What that Bill can be no man can tell. Before Parliament met it was announced by the hon. Member for Birmingham (Mr. Bright) as a simple measure of enfranchisement, or what is called a "single-barrelled Bill." Then the right hon. Member for Ashton (Mr. Milner Gibson), in his speech to his constituents, announced something of the same kind. [Mr. Milner Gibson: No, no!] Such was my impression. At another time it was announced as a "double-barrelled Bill;" and the report now is that it is to be two single barrels, and to be loaded with No. 6. Now I believe this £6 franchise which is to be contained in this Bill—whether a whole charge or a half-charge—is a measure fraught with danger to the State; and, as was said by the hon. Member (Mr. Clay) it was a concession of that kind which would lead to further changes until it arrived at the lowest symbol of property, whatever that may be. And therefore if it is put to me whether I would support a £6 franchise or the Bill of the hon. Member, I shall certainly vote for the latter. It is encouraging to find that the hon. Member for Hull, not satisfied with repeating the parrot cry of a "£6 franchise," has cut out for himself a new and untrodden road through the briars and thorns which have so long surrounded this question of Reform.

Mr. HORSMAN: Sir, I certainly expected to hear a few words from the Treasury Bench on this subject of basing the franchise on intelligence. Considering what the subject is, it is only due to the House that we should hear some expression of opinion from the Treasury Bench on the proposal of my hon. Friend. I do not think the circumstance that the other side of the House desire to go on at once with the cattle plague is a sufficient excuse for the silence maintained by the Members of the Government. I think, however, that my right hon. Friend the Chancellor of the Exchequer fell into a little irregularity in the beginning of the evening when he pledged himself beforehand that none of the Motions on the paper should be opposed, for that is a matter which does not rest entirely with the Government. I confess I find it difficult to understand why the Ministry is so exceedingly reluctant to say anything with respect to the Bill. It is impossible to separate the proposal of my hon. Friend the Member for Hull from that great question of Reform which Her Majesty's Ministers led us to believe, until we read the Queen's Speech, was the most absorbing, the most overwhelming, the most pressing, and, in fact, the supreme question of the day. I should, therefore, have thought that when the question was brought forward to-day the right hon. Gentlemen on the Treasury Bench, and their friends below the gangway, would have shown great alacrity in expressing to the House the opinions which they have expressed out of doors. I can imagine one excuse for their reluctance. It may be that they feel a certain amount of soreness at the conduct of the hon. Gentleman the Member for Hull. He must be to some extent regarded to-night as an object of envy by Her Majesty's Government, and there may be a pardonable feeling of dissatisfaction at the contrast obvious to the most superficial observer suggested by the difference between my hon. Friend and the Government. My hon. Friend pledged himself, like the Government, to introduce a Reform Bill at the earliest period of the Session, but, unlike the Government, he has kept his pledge. The hon. Member, too, had, like the Government, to base his Bill on statistics, but unlike the Government, he had no paid officers to assist him, and, still more unlike the Government, his statistics are complete. Like the Government, again, he wishes to extend the franchise, but, unlike the Government, he bases his proposed extension on a principle which he can explain and defend—and in that respect he has attained a statesmanship beyond that which Earl Russell has ever attained with his one idea of Reform, which is to give us a House of Commons elected by a mob. I can well understand that the position occupied by my hon. Friend to-night — that of a Reformer pledged to Reform, who, at the earliest moment, redeems his pledge—that of a business-like Reformer who has prepared his Bill, and that of a statesmanlike Reformer who bases it upon a principle, may well excite feelings of embarrassment, accounting for the silence exhibited on the Treasury

Bench. But, Sir, if my right hon. Friend the Chancellor of the Exchequer is unwilling to express any opinion on this Bill, I am still more surprised at the silence of the large and comprehensive Reformers below the gangway. How comes it that they have given no response whatever to this proposal to base the franchise on intelligence, though it is what they have been roaring about all their lives. When the hon. Member for Hull resumed his seat, I thought so many of them would be starting up for the honour of seconding the Motion that you, Sir, would have been perplexed which of them to name, instead of which they all remained fixed to their seats. Has their ardour been expended and exhausted during the recess? Or did it receive its quietus on the day the Queen's Speech was delivered? I must say, judging from what we have seen, that there was never so potent an instrument, and one with so magical an effect, as the Queen's Speech, for it mesmerized in a moment all the large and comprehensive Reformers in Her Majesty's dominions. The hon. Member for Birmingham (Mr. Bright) was the first to show that he was stunned and silenced. When I was coming down to the House at four o'clock on the day Parliament was opened, I had not had an opportunity of reading the Queen's Speech, but I met a friend of mine who has a seat on this side of the House, and who is a very advanced Reformer. "How have they treated you Gentlemen in the Speech," I asked. He replied, "Very badly indeed; they have shunted us into a siding." But, he added, "We shan't stand it, and there will be a row." "What do you mean by a row?" I inquired. He replied, "Go down at five o'clock, and just see how the Member for Birmingham will explode." Well, Sir, I came down to hear the Member for Birmingham explode, and there was a great rush of new Members to witness the explosion; but the Member for Birmingham had not the least idea of exploding. He sat here for two whole nights mute and melancholy, the "observed of all observers." Even when the right hon. Baronet the Member for Droitwich (Sir John Pakington), with the most benevolent intention of enabling the large and comprehensive Reformers to relieve their feelings, at last got the hon. Member for Birmingham on his legs, he was ready to explode upon Jamaica, he was great on the cattle plague, and he went off at half cock upon Ireland. But on that great question of Reform which had been treated with such contempt in the Queen's Speech, and as to which we were told the whole nation would be clamouring at our doors for a large and comprehensive Bill, he was wholly silent. Although the hon. Member went up to boiling pitch on the other subjects, his temperature as to Reform was so frigid that no stimulant was sufficient to get him up to bloodheat; and as to the other large and comprehensive Reformers they all seemed afraid or ashamed to touch the question. No doubt the hon. Member for Birmingham has his own reasons for avoiding the question; he is an old and wily politician, and has reasons for the course he adopts, which perhaps the other large and comprehensive Reformers have not. There are, however, other Reformers in the House who profess to act upon principle apart from tactics. When, last year we obtained an easy victory over the hon. Member for Leeds we were told that during the last Parliament the advanced Liberal party had eaten so much dirt in the service of the Ministry that they were politically discredited and insolvent. But they said to us, "See what the elections have done—see what has happened at Brighton, at Westminster, and Lambeth—see what young blood has been sent into the House. Reformers uncontaminated, undemoralized by past Parliamentary proceedings; see how they will come out on Reform and redeem the character of Parliament and the country!" We were glad to hear of these valuable accessions to our debates—the reputation of these gentlemen had preceded them to this House—we welcomed them with pride and with pleasure; we knew them to be men of great ability, and believed what we were told of their zeal and sincerity; but still we watch and wait for them to redeem the character of the great Reform party, and others have waited and watched, and with what result? I can very well imagine these gentlemen congregated at the Reform Club around the hon. Member for Birmingham, when one of their admirers comes up and says, "We hear wonderfully little about Reform in this new Parliament. When are you coming out on Reform? Or what are you doing about Reform?" "Oh," says the hon. Member for Birmingham (Mr. Bright), drawing himself up, "I am waiting for statistics." Then the admiring inquirer turns to the hon. Member for Westminster (Mr. Stuart Mill), and says, "What are you doing upon Reform!" "Oh," he replies, "I am helping the hon. Member for Birmingham." Then the inquirer goes to the hon. Member for Brighton (Mr. Fawcett), and asks, "What are you doing about Reform?" and he answers, "I am helping the hon. Member for Westminster." Then the inquirer goes to the hon. Member for Lambeth (Mr. Thomas Hughes), and says, "I suppose you are like the rest of them, and that probably you are helping the Member for Brighton." The hon. Member for Lambeth replies, "Probably I am." Then, going through the club, the inquirer turns to a more candid Reformer, perhaps the senior Member for Brighton (Mr. White), and he asks him the same question, "What are you legislators doing about Reform?" "Oh," he says, "I will tell you what we are doing; we are helping the helpmates of the Member for Birmingham to smother Reform under a fictitious pile of imaginary statistics." These are the philosophical Reformers, who have been sent to this House for the purpose of advancing this great cause of Reform, who have shown their philosophy by the patience with which they have endured the delay of this great question, against which delay others have protested, and forming apparently no very high estimate of the sincerity which this patience exhibits. Of course, those gentlemen who would base the franchise on intelligence do not get much assistance from the hon. Member for Birmingham and those who agree with him. The latter want to go a great deal faster than the former. We know that intelligence is fatal to agitation, that as the schoolmaster advances the agitator recedes, and that an educated multitude no more believes in demagogues than in ghosts. But we do expect from men whose high reputation has given them another position in this House that they should follow Reform with a pure spirit, and, politically speaking, with a higher morality than has distinguished this agitation during the last few years; and it is nothing short of a public calamity when men of their high order lend themselves, as they appear to be doing now, by the indifference they are showing, to the degradation of the Parliament they were intended to adorn.

THE CHANCELLOR OF THE EXCHEQUER: My right hon. Friend who has just sat down has expressed a hope that he would hear a few words from the Treasury Bench upon this occasion, and that hope of my right hon. Friend shall be gratified, while I can assure him also that those words will be very few. The principal duty in fact which I have now to perform is to render a just tribute to the speech of my hon. Friend the Member for Hull (Mr. Clay). That speech, as I thought, was characterized by great force, great ability, and great clearness of statement, as well as by considerable ingenuity in handling a very difficult subject; but it was characterized above all by an evident earnestness and sincerity, and a sense of the serious nature of the position in which he was speaking. For all these qualities I thank my hon. Friend, but especially for the display of those qualities in that portion of his address which related to the moral character of that class whose cause he was more immediately advocating. My right hon. Friend who has just sat down has sought to lead me a little beyond the performance of this duty by the contrast which he has benevolently been pleased to imagine between the position of my hon. Friend the Member for Hull, who has fulfilled all his pledges, and that of Her Majesty's Government, who he thinks already, before they have spoken one word, have contrived to violate all the pledges which they have given. I cannot admit the existence of that mortification which he supposes we must suffer in contemplating the triumphant honesty and integrity of the hon. Member for Hull. I can feel in this instance the satisfaction which the conduct of a good man naturally inspires, but that satisfaction is entirely unalloyed by any sting or reproach of conscience in consequence of anything we have done or not done on the question of Reform. In the speech of Her Majesty it was stated that the Government were engaged in gathering information upon this subject. Our responsibility with respect to that part of the question is very well tested by two considerations:—first, the time at which the Cabinet was formed and the state of public business on the death of Lord Palmerston; and next whether after the tenor of the debates which took place in the year 1860, it was or it was not material and important, with a view to the satisfactory handling of this subject, that an effort should be made to place Parliament and the country in possession of the best and most accurate information which we could command. We came to the conclusion that such an effort was desirable, and if my right hon. Friend thinks fit to challenge our judgment, and says that that was a proceeding intended only for evasion or delay, it is quite competent to him to do so, and we shall be ready to meet him whenever he invites the House to assent to such an opinion. But if our views were just, our duty was a perfectly simple and disinterested one. We have in accordance with it prosecuted this inquiry. The systematic management and arrangement of a number of particulars with reference to the situation of counties and boroughs, if the Returns are to be rendered worthy of this House and are to present that accuracy and precision of which the subject admits, cannot be accomplished without a considerable lapse of time. Not one moment has been lost, and the announcement of the time when it will be my duty to make a proposal to the House on the subject of Reform has depended and will depend upon the day when we shall be able to produce this information. A very few days only, I hope, will now elapse before I shall be able to state when that day has arrived. But upon the present occasion I have only to say for myself, "my bosom's lord sits lightly on its throne." I have no sins to answer for on my part, or on the part of my Colleagues, as far as any delay hitherto is concerned. With respect to the very mild and modest invitation of my hon. Friend the Member for Hull (Mr. Clay), and the more detailed and elaborate invitation of the right hon. Gentleman (Mr. Horsman) who followed him in the debate for some expression of opinion from me, on the part of the Government, in reference to the merits of the proposal of my hon. Friend, I can only say that neither the respect I feel for the one, nor the admiration I entertain of the ability of the other, nor any other motive or consideration, be it what it may, will succeed in extracting from me a single word.

Motion *agreed to.*

Bill to extend the Elective Franchise for Cities and Boroughs in England and Wales, *ordered* to be brought in by Mr. Clay, Mr. George Clive, and Mr. Gregory.

ACT OF UNIFORMITY.—COMMITTEE.

Mr. E. P. BOUVERIE moved that the Speaker leave the Chair, with a view to moving in Committee of the whole House for leave to bring in a Bill to repeal certain portions of the Act of Uniformity. He said that the position of this question was now somewhat altered as compared with last year when he had the honour of introducing a Bill on the question. Last year an Act was passed with reference to the subscription of the clergy. That Act repealed one of the clauses of the University Clauses Act which required the same declaration to be taken by all clerical persons. The form therefore in which he should now draw his Bill would not be as heretofore, to except the fellows of colleges at the University, but simply to repeal two clauses of the Act of Uniformity, which required the heads of colleges, and heads of colleges alone, to make that declaration. He hoped, under these circumstances, his right hon. Friend opposite (Mr. Walpole), who had hitherto opposed him, would now be disposed to assist him.

Mr. WALPOLE said, he would not oppose the Motion, as it would be desirable they should see the Bill, but he did not suppose that the alteration could recommend it more than the former Bill, or that he could do otherwise than oppose it.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain portions of the Act of Uniformity.

House *resumed.*

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Bouverie and Mr. Dudley Fortescue.

BANK NOTES (IRELAND).—COMMITTEE.

Sir COLMAN O'LOGHLEN moved for leave to bring in a Bill to make Bank of England notes a legal tender in Ireland, and to authorize banks of issue in Ireland to make their notes payable only at the places in Ireland at which the account of gold and silver coin held by such bankers is taken by the Commissioners of Stamps and Taxes.

The CHANCELLOR of the EXCHEQUER said, he did not desire to deprive the hon. Baronet of the opportunity of stating his views and laying his plans before the House. He agreed with him in thinking that there were certain circumstances in the present state of the law with respect to the circulation in Ireland which, upon the first fair opportunity, might attract the attention of Parliament. But he was bound to say, in order that no misunderstanding might arise with reference to the Government making the subject a matter of deliberation, that in his opinion it would not only be an innovation to make Bank of England notes a legal tender in Ireland, but he conceived there to be very strong and practical objections to a measure of the kind. He only stated this in order that his hon. Friend need not be deceived as to the course which he, on the part of the Government, contemplated pursuing in reference to such a proposal.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to make Bank of England Notes a legal tender in Ireland, and to authorize Banks of Issue in Ireland to make their Notes payable only at the places in Ireland at which the account of Gold and Silver Coin held by such Bankers is taken by the Commissioners of Stamps and Taxes.

House *resumed.*

Resolution *reported:*— Bill *ordered* to be brought in by SIR COLMAN O'LOGHLEN and Mr. O'BEIRNE.

CATTLE PLAGUE (*re-committed*) BILL.

[BILLS 7, 24, & 32] COMMITTEE.

[The Bill having been *Committed, Re-committed,* and *Considered as Amended,* without having been *re-printed,* great difficulty has been experienced in following out the Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to,* with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 32.]

Bill *considered* in Committee.

(In the Committee.)

MR. HUNT proceeded to move a series of new clauses in lieu of Clauses 28 to 34 [Bill 7] *struck out* in Committee.

On the first of these clauses (Movement on Railways, Canals, &c.),

MR. HUNT said, that he was of opinion that a longer period—namely, to the end of April, might be taken for the restriction in this case than had been thought advisable with regard to the movement of cattle, inasmuch as there were no changes of tenancy affected by it. After the end of April the Government might discontinue the restriction or continue it at their pleasure. He had seen persons interested in the tanning trade, and they were, he believed, perfectly satisfied with the clauses as they now stood, and with the Amendments of which he had given notice. In the first line of the clause, he moved to omit "25th March" in order with the view of inserting "30th April."

MR. CRAWFORD said, he did not think the hon. Gentleman could be aware of the excessive inconvenience which would be caused throughout the United Kingdom by this clause, both to the home and foreign trade in hides. According to this clause, no raw or untanned hides, horns, or hoofs, could be moved except in covered vehicles or vessels; his object, of course, being to prevent hides being carried in a way or in a state that would spread the infection. The clause, if passed in its present form, would put a stop to one of the most important industries in the country. If beasts were killed some provision must be made for the disposal of the hides. In Leeds, for instance, 900 beasts were killed and 4,000 skins were cured every week, so that upwards of 3,000 hides must be imported to keep up the supply. In Aberdeen some 1,200 beasts a week were killed; but as there was no tanning whatever carried on there, the whole of those hides would be left in Aberdeen literally to rot if this clause were carried. He had been assured that if hides were carried in a covered van, or with a top dressing of charcoal or bark, if in carts, no danger was to be apprehended. English hides were taken to the tan pit wet, and were likely to cause infection; but that was not the case with foreign hides, for they came into the country dry. Some foreign hides were brought in salted, and he believed some danger of infection existed as regarded them.

MR. HUNT did not understand that such would be the effect of the clause.

MR. CRAWFORD said, the clause prevented the hides from being moved.

MR. HUNT: Except in covered vans.

MR. CRAWFORD: Covered vans only refers to railways.

MR. HUNT said, the next clause he proposed provided that hides, &c., might be carried in any street or highway continuously built on, except it should be necessary in so doing to pass by any place where beasts are kept, provided they are conveyed in a covered vehicle, or are covered with a layer of charcoal or tan.

MR. CRAWFORD maintained there was no necessity for the restriction as to foreign hides. He would move at a subsequent stage a proviso which would except raw hides, &c., imported from India, Australia, South Africa, or America.

MR. HUNT observed, that he had parted with the gentlemen connected with the tanning trade under the impression that what he intended to propose would satisfy them. Between the intentions of his hon. Friend the Member for London (Mr. Crawford) and his own there was no difference—the question was merely as to the words which ought to be used. The Committee would see that he made a distinction between foreign hides and English ones in respect of removal, and for this reason—the English hides travelled wet, which state rendered them more likely to convey infection; but the foreign hides came over dry, with the exception of a certain number which arrived here salted. These latter were not dry, and there appeared to be some risk from them. He was ready to meet the views of the constituents of his hon. Friend the Member for Leeds in respect of sheepskins; and here, again, the question was only one as to the words to be used.

Mr. LOCKE said, he should certainly object to these restrictions with respect to hides being in operation until the 30th of April, while the restrictions on animals were only in force until the 25th of March. Nothing could show more plainly than this proposal the absurdity of applying the same rule to Northamptonshire and to the metropolis. It was surely preposterous to say that no hides should be moved about within the area of the metropolis until the 30th of April. Let them do as they pleased with respect to infected hides; but why all these tremendous restrictions with respect to the hides of perfectly sound animals? The practice in the metropolis was that on the days when cattle were slaughtered carts went round and took the hides from the slaughtering-houses. The hides were conveyed at once to the tan-yards in Bermondsey, where they were put in pits the very day the beasts were killed, there they were subjected to the influence of well-known disinfecting agencies. Why, his constituents of Bermondsey manufactured no less than 6,000 hides per week, and yet this enormous industry was almost to be paralysed for a most incommensurate purpose. With respect to foreign hides, why not adopt the principle of the Government Bill? Foreign hides came to this country for the purposes of the tan-yards of Bermondsey, and it was quite evident that if this Bill passed into law there would be no oxen in Bermondsey for them to infect.

Mr. HUNT said, he had no desire to insist on the restriction with respect to hides being extended until the 30th of April. He was content that it should be

limited in the same way as the restriction with regard to the removal of animals.

Captain GRIDLEY said, that the hon. Member for Northamptonshire (Mr. Hunt) had introduced a clause allowing hides to be sent by railway without a licence, provided they were carried in covered carts. This clause would be perfectly inoperative unless a clause was introduced giving permission to persons to send hides along the highways, without a licence, provided that similar precautions were taken. It was no advantage to a man to be allowed to send his hides by rail without a licence, if he was compelled to procure a licence before he could send the hides to the station.

Mr. HUNT said, that an addition which he proposed to move to the 29th clause would remove the difficulty of which the hon. Gentleman complained. After the words in the 29th clause prohibiting the movement of hides and skins on roads he proposed to add the words—

> "Unless the hides shall be in a covered cart or other covered vehicle, or unless the hides, skins, horns, or hoofs are protected from exposure in an open car by a layer of charcoal."

Captain GRIDLEY feared that the proposed addition to the clause would not be sufficient to allow persons to send hides along the roads without licences.

Mr. BARING observed, that according to the wording of the clause as it now stood, neither hare skin, rabbit skin, dog skin, nor any other kind of skin could travel except in a covered van.

Mr. HUNT said, the word "animal" was not at present defined in the Interpretation clause; but he intended that it should bear the same meaning as in the Government Bill. He had no objection to the movement of hides along the road provided they were moved under licence, and were sound hides coming from a healthy district.

Captain GRIDLEY expressed himself satisfied with the explanation given, provided the clause was altered accordingly.

Mr. BARING said, it was originally supposed that all hides would carry infection, but Professor Ferguson, of Dublin, discovered a method of preparing sheepskins, which, if adopted, rendered it impossible for them to convey disease. Accordingly, a special Order had been passed to allow skins so prepared to be taken into Ireland; but he did not find among the proposals of the hon. Member any reservation in favour of such skins. The clauses, in fact, for which the hon. Member was responsible, hardly afforded sufficient protection against the spread of the cattle plague. The Government measure directed that all diseased animals should be buried in their skins; but provided they were only disinfected, Clause 30 of this Bill gave colour to the supposition that diseased skins might be carried about the country. He, for one, did not attach much importance to licences, believing that, were they so largely given all over the country, some would be improperly issued; but whatever their value, it was certainly unwise to raise any doubt, as to the circumstances under which they might be granted. If it were enacted once for all, as it had already been, that diseased skins must be buried with the animals themselves, there was no need for all these stringent and vexatious provisions as to the removal of skins not tainted by the disease. In Liverpool and other places where, owing to the stoppage of railway traffic, the number of beasts killed would be enormous, Clause 29 would be simply inoperative.

MR. HUNT said, he was perfectly ready to adopt any form of words excepting towns from the operation of the clauses condemned by the hon. Gentleman opposite. The movement of skins through continuous lines of streets could do little harm; but in the country the proceeding was attended with great danger. It would be easy to put in words to prevent the construction alluded to by the Under Secretary. He really must express a hope that hon. Members would not indulge their taste for criticism in discussing the clauses of this Bill. He admitted that on ordinary occasions he enjoyed the sport himself—it was sometimes as good as a rat-hunt—and if there were plenty of time he would ask for nothing better. He asked for no quarter for himself; but as time was of so much importance, he hoped that hon. Members would exercise a little forbearance.

MR. GRAHAM said, he felt it due to the hon. Member to express his feeling of the courteous manner in which he wished to meet the views of hon. Members; but this was a point which affected his constituents, and there ought to be an addition to the clause, giving power to an officer of the Customs to certify that hides came from abroad, so as not to bring them within the operation of this clause.

MR. HUNT said, he understood that there had just been a communication received from Leeds, with respect to the clauses on hides, and in order to give the tanners of that town an opportunity of having their views represented he would be glad to postpone these clauses.

MR. BAINES thanked the hon. Member for the good temper and discretion which he showed in the conduct of this Bill; throughout the debate he seemed to have no desire except for the public good.

MR. CRAWFORD wished to know if the hon. Member had any objection to exempt from the provisions of the Bill hides from India, South Africa, and Australia?

MR. HUNT said, he had already made such a provision in one of the new clauses. His only anxiety was to secure that the hides came from those countries.

MR. LOCKE asked for a definition of the "Metropolis."

MR. HUNT said, "land continuously built upon" was sufficiently wide, while it excluded growing districts. He begged to move the postponement of the clause.

Clauses 28 to 34, inclusive, *postponed.*

Clause 35 (Lords of the Privy Council the duty of appointing officers to inspect cattle trucks).

MR. BARING suggested that this clause also should be postponed.

VISCOUNT CRANBOURNE remarked that if all the clauses were postponed they would have to begin the Bill over again.

SIR GEORGE GREY said, that the clause took the whole responsibility of disinfecting the cattle trucks, platforms, and pens from the railway companies and put it upon the Government, and relieved the companies from the whole expense and placed it on the public. He was not disposed to accept a clause which relieved the companies of all the responsibility and expense. He thought the duty of disinfecting their trucks ought to be imposed on the railway companies, and that the Government should have the power of sending inspectors to see that the railway companies properly performed that duty.

COLONEL DOUGLAS PENNANT said, he thought it was not sufficient that the Government inspector alone should have the power of entering railway stations, in order to see to the disinfecting of the cattle trucks. He had himself seen the trucks which had been employed to convey cattle return filled with straw, the lower trusses of which were saturated with the dung and filth left behind by the cattle. He suggested that the local inspector as well as the Government inspector should have power to enter the premises of railway companies and see that the trucks were properly cleansed and disinfected; and that in cases of neglect the companies should be subject to fine.

Mr. HUNT said, the clause was faulty as it originally stood, because it would have thrown the expense of cleansing and disinfecting the trucks upon the Government; but in its amended shape it threw the expense on the companies, while at the same time it required the process to be gone through under the superintendence of Government officers. According to the information he had received from all parts of the country, the trucks were very dirty, and not disinfected. The other night the House passed a stringent provision with respect to the transit of cattle by rail; but half the good thus accomplished would be undone if they did not secure the purification of the trucks. A clear period up to the 25th of March was required, during which they should be cleansed and disinfected. That should be done under official supervision. But they must also have some machinery for ascertaining what trucks were in use and where they were. The clause which he proposed to bring up on that subject would prohibit the use of all cattle trucks until they had been disinfected, and would require the companies to make a register of their trucks by number. It also provided that any cattle truck used on a railway should be presumed not to have been cleansed or disinfected until the contrary had been shown by means of the register. That would put the companies to some inconvenience, no doubt; but there was no other mode of securing certainty in that important matter. The companies would state the stations in which the trucks so numbered respectively were standing, the Government officer would see them there, and as soon as they had been disinfected, he would write a certificate stating that such and such trucks at such a place had been disinfected on such a day.

Mr. LOCKE KING hoped the hon. Gentleman would postpone his clauses till the Committee had had an opportunity of ascertaining their effect.

Mr. HUNT admitted that, under ordinary circumstances, he might fairly be asked to wait till the Bill had been reprinted; but, considering the urgency of the case, he hoped the Committee would allow him to proceed.

Mr. WYKEHAM-MARTIN suggested that it might be well to have every truck that had been used in the conveyance of cattle thoroughly repainted.

Mr. AYRTON asked whether the clause was confined to cattle trucks, or whether it extended to every butcher's premises and every slaughterhouse throughout the kingdom.

Mr. HUNT said, he thought it highly desirable that the slaughterhouses all over the country should be disinfected. As long as the practice of slaughtering was continued, the infection was kept up; for as soon as the matter which held the infection began to dry, the slaughterhouses moistened it again, and the infection was retained. Sheep-dogs or other canine prowlers carried away the offal and lapped the blood, taking back with them to their owners' yards the means of spreading the contagion. He was willing, however, to deal with the slaughterhouses if desired, through a separate clause. It had been suggested that it would be a laborious task for the Government officers to go all over the kingdom to supervise the disinfection of cattle trucks; but an arrangement might be made by the companies by which all the trucks should be collected at certain stations, for the convenience of the Government officers. It was of primary importance that the cleansing and disinfecting should be officially superintended. When these trucks got into such a filthy state, that something must be done to them, they were sometimes shunted on to sidings with pastures closely abutting on them. The railway officials then with shovels or other implements cleared out the trucks, throwing the filth over the fences into the pastures, whereby the cattle there got infected. Then with reference to the cleansing of the railway trucks, he thought it very undesirable that the railway companies should be left to disinfect them after their own fashion; some provision should be made to insure that the proper disinfecting fluid was used; and the whole should be done under the superintendence of an officer appointed by the Government. Some disinfectants, he was told, would damage the woodwork of the railway trucks; and he had been assured that the system which had been recommended by Professor Gamgee was all that could be desired for cheapness and efficiency. He advised that the trucks should be thoroughly scrubbed with boiling water, then allowed to dry, and lastly washed with a solution of common soda or soda ash and water.

Mr. AYRTON pointed out an inconsistency in the clause, and remarked that it should be made quite clear whether the expense of the superintendence of the disinfecting process should be met by the local authorities or fall on the Consolidated Fund. The hon. Member had complained of the interference of metropolitan Members with the Bill. [MR. HUNT: No, no!] But that was their duty, and they had, after all, done no more than look after the towns, while the hon. Member had himself only taken the country, with its farms and fields, into consideration.

LORD BURGHLEY said, the most careful inspection of the trucks was necessary, otherwise it was probable that the cleansing of them would be merely confined to a little whitewashing half-way down them, as had been down to some of the trucks on certain railways, leaving them afterwards like whitened sepulchres.

MR. LIDDELL urged that ample time should be given to the railway companies to effect a thorough disinfection of their trucks, as the operation, to be properly carried out, would occupy a considerable period.

VISCOUNT CRANBOURNE thought that too much importance could not be placed upon this point by the Government. He confessed he was somewhat startled upon hearing his hon. Friend (Mr. Hunt) recommend soda and hot water as the best disinfectant. He (Viscount Cranbourne) did not think that such a thing as that would answer the purposes intended. It appeared to him that the best means of disinfection should be first ascertained, and that having been done, the use of them should be rigorously enforced in central places.

SIR GEORGE GREY said, the Government had been in correspondence with railway companies with reference to the cleansing of their trucks; as to the matter under consideration, he would suggest a clause providing that every railway company or person in the habit of carrying cattle in Great Britain should, before the 25th of March next, thoroughly cleanse and disinfect with lime water or some other efficient means all cattle trucks and cattle pens used by them, and should not place in them any animals before they were so disinfected. He would propose such a clause, because he desired to place the responsibility, in the first instance, upon the railway companies, and not upon the Government. But, at the same time, he would agree to the insertion of a special provision of some such character as the following:—

> "That any officer appointed in writing under the President or Vice President of the Board of Trade, or any inspector appointed by a local authority in the district of such an authority, may enter upon the premises of any such company or persons, and inspect all trucks belonging to such company or persons, and require them or him to cleanse and disinfect them in such a manner as he may direct, and any truck which shall be insufficiently cleansed or disinfected," &c.

MR. HUNT said, the Bill was meant to be simply a temporary measure, the operation of which would extend only to the 25th of March, before which time the Government would, he hoped, have passed a general measure. There would, under the circumstances, he thought, be no great difficulty in throwing the duty of inspecting the trucks and seeing that they were properly cleansed and disinfected upon Government officers; especially as those trucks would not be much in use for the next month, and might very easily be collected together by the various railway companies at some particular station. The duty of inspection would, in his opinion, be likely to be much more efficiently performed by persons armed with the authority of the Government than if it were confided to local agents who might not be duly qualified for its discharge.

MR. LOCKE KING suggested the postponement of the clause and to bring it up on the Report, as the Committee seemed, as matters stood, to be proceeding very much in the dark.

LORD ROBERT MONTAGU asked, whether the proposed inspection and cleansing were to take place once for all and to be done, or were to be continued? In the latter case, it would be well to consider whether it was desirable to introduce a new principle into our legislation by departing from that laid down in the Local Government Acts, under which the expense of removing a nuisance was levied on those by whom it was caused.

MR. ACLAND said, there was no use in arguing the question after the intimation made by the Secretary of State to the effect that he would bring up a clause dealing with it.

MR. NEWDEGATE could not see that hon. Members were precluded by that intimation from making such suggestions as they might deem advisable. He should propose that the words "vessels and there appurtenances" should be added after the word "railways."

Sir GEORGE GREY said, that the hon. Member for Warwickshire raised a different question from that which was under discussion, and which related to the movement of cattle within Great Britain. He was not aware that the Government had any power over foreign vessels.

Mr. NEWDEGATE observed, that there was a large coasting trade in cattle carried on by steamers belonging to this country; and it was to that class of vessels that he desired particular attention should be paid.

Mr. CARNEGIE expressed a hope that the railway companies would be made to pay the expense of disinfecting their own cattle trucks.

Mr. ACLAND moved that the clause be postponed.

Mr. KNIGHT said, he did not think either the proposition of the Home Secretary or that of the hon. Member for Northamptonshire quite satisfactory; but the Committee might go on discussing them, for he disliked the idea of postponing everything.

Colonel DOUGLAS PENNANT stated that one large railway company had issued orders to their officers for the cleansing of their trucks; and that being so, he did not see why other railway companies should not do the same, instead of throwing the expense on the country. He was very much inclined to support the proposition of the Home Secretary.

Question put, "That the Clause be postponed."—(*Mr. Acland.*)

The Committee *divided*:—Ayes 96; Noes 86: Majority 10.

Clause 36 *withdrawn.*

Clauses 37 and 38 *agreed to.*

Clause 39 (Penalty for refusing to produce a licence).

Mr. HUNT proposed after the words "any justice," to add the words "parish officer," so as to enable the overseer of a parish, in the absence of any other authority, to require the production of a licence.

Viscount CRANBOURNE suggested that it would be better to follow the analogy of the Game Act, and enable "any person" to require the production of the licence.

This Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill. [*cl.* 33.]

Clause 40 (Penalty for false Declaration) *agreed to.*

Clause 41 (Application of Penalties).

Mr. WALDEGRAVE-LESLIE said, he would beg to call the attention of the hon. Member (Mr. Hunt) to this clause. No provision was made in it for the application of Penalties in Scotland.

Mr. HUNT understood that the Lord Advocate would prepare a clause for Scotland.

Mr. WALDEGRAVE-LESLIE, seeing that the Lord Advocate was not in his place, begged to move the omission of the words "in England," so that the clause might apply equally to England and Scotland.

Mr. BARING said, that as the clause stood half the penalties were to go to the informer. He proposed to insert such words as should make the whole of the penalties payable to the county, as in the Cattle Diseases Bill.

Viscount CRANBOURNE said, the great obstacle to enforcing the stoppage of traffic was the difficulty of procuring information. The only hope they had of carrying the Bill into effect was to induce the inhabitants of the country to bring offenders to justice, and the best way of doing so was to appeal to the cupidity of informers, so as to meet any local lukewarmness. He therefore trusted the Committee would not alter the clause.

Mr. CARNEGIE had been informed that it was found impossible to carry out the Orders of the Privy Council until it was publicly announced that half the penalty would go to the informer.

Question, That the words "in England" stand part of the clause, put, and *negatived.*

Clause further amended by words making one-half the penalty to credit of county rate.

Clause, as amended, *agreed to.* [*cl.* 35.]

Clauses 42 to 44 *agreed to.*

Clause 45 *withdrawn.*

Clause 3 (Interpretation clause).

Mr. BARING proposed, with regard to the word "beast," that the same interpretation should be adopted as in the Cattle Diseases Bill.

Mr. HARDY remarked that the Government measure gave no interpretation respecting footpaths and bridle roads, and that, consequently, there was a great probability of the regulations being, to a certain extent, evaded.

Sir JAMES FERGUSSON stated that

it was highly desirable to stop the traffic on the drove-roads so common in Scotland, over which animals frequently travelled a considerable distance. He therefore proposed that the term "highway" should mean any turnpike, drove, or public road either in England or Scotland.

MR. HUNT said, that the word "beast" had been selected because it was a singular noun; the word "cattle" was plural, and would be inconvenient. The whole Bill was drawn up in the singular number, and if the hon. Gentleman's suggestion were adopted the Bill would not only be ungrammatical, but as unintelligible as he believed the Government Bill was.

MR. BARING said, their object had been to get the Bill into a working shape. The terms "borough" and "county" were used in the present Bill in a different sense from that in which they were employed in the Government measure. If the two Bills, however, were to work at all, they must work upon the same footing. He did not for one moment wish to interfere with the hon. Member's Bill, but he thought it would greatly save the time of the Committee if the hon. Member would withdraw the clause and bring in a fresh one as far as possible in conformity with the measure introduced by the Government.

MR. HUNT said, that the words "borough" and "county" were employed in his Bill in the ordinary sense attaching to those terms, while the Government in their measure had bestowed upon them an artificial meaning. He thought that the author of the Bill might be allowed to put his own interpretation upon the words used in the Bill ["No, no!"], and not be compelled to accept the definition placed upon them by its opponents.

SIR EDWARD BULLER thought that the word "cattle" might be employed, and that it might be stated in the Bill to mean "cow," "bull," and so on, and to be used to represent both the singular and the plural noun. The hon. Gentleman the Member for Northamptonshire had not hesitated to employ the word in some instances, for he styled the authorities referred to by the Bill as "cattle inspectors" and "cattle officers," not as "beast inspectors" and "beast officers."

VISCOUNT CRANBOURNE thought that if the Committee wasted their time over such miserable technicalities the country would hardly give them credit for being actuated by a sincere desire to put a stop to this disease. The word "beast" alone appeared calculated to lead to some forty or fifty Amendments, and other words seemed to be likely to lead to similar results.

MR. ACLAND contended that there was no intention of impeding the measure; but it was necessary, for the guidance of the magistrates by whom the two Acts were to be put into operation, that they should be brought into uniformity. He would suggest to the hon. Member for Northamptonshire whether it would not be better for him, between then and the following morning, to consult the intelligent officer who was in the habit of assisting the Government in framing their measures, and see if the two Bills could not be brought more into conformity one with the other.

MR. HUNT would suggest that the Interpretation clause should be agreed to as it stood, and by the time that the Report was brought up he would see if he could bring the Bill more into harmony with that introduced by the Government—a result which he was very desirous of attaining.

SIR JAMES FERGUSSON moved to add words in order to include in the term "highway" the drove roads in Scotland.

Words *added.*

Words were then added to the definitions.

Clause, as amended, *agreed to.* [*cl.* 3.]

Clause 4 *struck out.*

Clauses 28 to 34, inclusive, *struck out.*

MR. HUNT brought up a new clause in lieu of Clause 4 (What Beasts to be deemed sound, what diseased)—

"For the Purposes of this Act, an Animal shall be deemed sound if and when it is not affected with the Cattle Plague, and has not, within Thirty Days, been in contact with any Animal so affected, and has not within Thirty Days, been in or on any Building or Yard or Field where any Animal so affected has been kept, unless that Building or Yard or Field has been effectually cleansed and disinfected at least Thirty Days previous to the Beast being placed in or on the same."

Clause *agreed to.* [*cl.* 4.]

MR. HUNT moved after the 35th clause to add a new clause (Restriction on Dogs)—

"Each Local Authority may from Time to Time order that Dogs be not allowed to go at large, not under the Control of their Owner, or his or her Servant or Servants, in the District of the Local Authority, either absolutely or except in conformity with Conditions prescribed by the Order, and may by any such Order authorize any Constable or Peace Officer or other Person to destroy any Dog going at large in contravention of the Order, and may from Time to Time vary, suspend, or revoke any such Order; and every such Order, while in force, shall be sufficient Warrant for any Person acting in pursuance thereof."

Sir GEORGE GREY asked whether it was intended by the clause that a man should not take out his dogs with him. Would it affect packs of hounds? What did dogs "at large" mean?

Mr. HUNT said, by "at large" he meant not tied by a chain or held in a leash.

Mr. KNIGHT proposed to add "without an owner," or "that is not in charge of its owner."

Sir EDWARD BULLER said, that dogs frequently went round to butchers' shops and slaughterhouses, and then to farm-houses.

After discussion, Amendment to add the words—"not under the control of his owner, or his or her servant or servants"—*agreed to.*

Clause, as amended, *added* to the Bill. [*cl. 29.*]

Sir CHARLES RUSSELL moved to add after Clause 34 a new clause (Restriction on Movement of Sheep, &c). The object he had in view was, as it were, to give a clean bill of health to sheep moving about from one place to another. He had received a letter from the chief manager of a large market with which he had some connection, pointing out the great inconvenience which was now experienced from the total stoppage of that market under the Orders in Council, which were strictly carried into effect in the county where the market town was situated. That market was entirely closed, and would not be opened until some such security as that which he had mentioned was given. According to the clause, no sheep, lamb, &c., could be moved into the district of any local authority without the licence of a justice having jurisdiction within the district, such licence to be obtained upon certain specified conditions.

Viscount MILTON expressed his opinion that sheep were likely to carry the disease. Hair and wool were very nearly allied chymically.

Mr. KNIGHT observed, that it seemed quite certain that sheep did not take the disease.

Mr. DENT remarked that in his county there had been an almost entire restriction of the moving of sheep, and this had been attended with very great inconvenience.

Mr. LIDDELL hoped the clause would be withdrawn. The Committee had not been afforded sufficient time to consider it.

Sir MATTHEW RIDLEY could assure the Committee that in his county very much inconvenience had been felt in consequence of the restriction of the movement of sheep. This had become an important question, because we must make up by mutton for the loss of beef.

Sir CHARLES RUSSELL said, that the practical effect of his clause would be to facilitate the moving of sheep and get rid of the inconvenience which hon. Members complained of. His object was simply to prevent the persons from moving sheep which had been in contact with diseased cattle. If his clause was added to the Bill all a drover would have to do was to go with his licence to a justice of the district into which he brought sheep and have that licence backed, which he would have no difficulty in doing if the animals had not been brought from a place where they had been in contact with diseased beasts. He had spoken to a great number of farmers on the subject, and they were all in favour of his clause.

Lord BURGHLEY admitted the inconvenience of which so many hon. Members had complained; but he felt bound to support the clause, because he believed that sheep carried the disease about the country.

Mr. GEORGE CORNWALL LEGH suggested that it was not a question as to whether sheep took the disease or did not take it; but one as to whether they would carry it. He was sure that pigs carried it, for he had suffered from pigs being introduced into a neighbour's yard, which had been previously in an infected place. He thought the clause was necessary.

Mr. HUNT supported the introduction into the Bill of the clause proposed by the hon. Member for Berkshire (Sir Charles Russell). The sheep-pox had broken out very recently in Northamptonshire, and the Government at once issued an Order giving power to local authorities to refuse to allow sheep to be brought without a licence into their districts. In issuing this Order the Government had acted most properly, and the House ought to adopt a similar course by adopting the proposed clause.

Mr. M'LAREN said, that the adoption of the proposed clause would cause the greatest inconvenience in Scotland. Flocks of sheep on their way to Edinburgh, or to England, had often to pass through several counties, and the local authorities of any one of these counties might, by refusing a licence, stop the further progress of the flock. That sheep did not carry the infection was proved by an experiment lately tried at Edinburgh, where a number of sheep were kept for a certain time with diseased cattle, and were then placed with sound cattle; not one of the latter took the disease.

SIR GEORGE GREY opposed the adoption of the clause, which he thought would have some very inconvenient results.

SIR JAMES FERGUSSON, in answer to the remarks of the Member for Edinburgh (Mr. M'Laren), said, that the proposed clause was only intended to be in force until the 25th of March, and that before that time flocks of sheep were never moved from place to place in the Highlands of Scotland.

Clause *negatived.*

MR. AYRTON, in moving that the Chairman be ordered to report Progress, asked the hon. Member for Northamptonshire whether he seriously intended to prohibit the removal of all cattle from the place where they might be landed upon importation? He put that question with especial reference to the circumstances of the metropolis.

MR. HUNT said, he was anxious, in the case of seaports other than the port of London, to permit cattle to be moved upon their arrival from the place of landing to the nearest slaughterhouse, a distance which he fixed roughly at 500 yards; but on that point he was anxious to consult the views of representatives of those seaports. The Metropolitan Market, however, was six miles in a straight line from the port of London, and as there was no other seaport similarly situated, he was quite aware that a stand-up fight must take place between the metropolitan Members and himself.

MR. ALDERMAN SALOMONS said, he had received representations from two or three of the largest steampacket companies concerned in bringing foreign cattle to the port of London, and he was persuaded that their interests, and the interests of the consumer, would be greatly interfered with by the Bill.

MR. HUNT hoped the Motion for reporting Progress would not be pressed. There were two or three clauses which he was anxious to propose, giving power to the cattle owner to prevent trespass on his land, and providing for the publication of an abstract of the Act.

SIR GEORGE GREY hoped the hon. Member did not intend to devolve upon him the preparation of the abstract. He suggested that the hon. Member should give notice in writing of the exact terms of his clause affecting the metropolis, and that the Bill should be reported with a view to its being printed, thereby enabling Members to see exactly what they had agreed to.

MR. HUNT said, he was willing to adopt the suggestion on the understanding that the Bill would be re-committed only as to the new clauses.

Motion, by leave, *withdrawn.*

On Motion of Mr. HUNT, a clause giving power to the owner of any cattle affected by disease to prevent trespassers entering on his land, after notice, was read a second time *pro formâ.*

MR. BARING suggested that the clause should be considered as added to the Bill *pro formâ,* with a view of being re-committed.

Clause *agreed to, pro formâ.* [*cl.* 39.]

Then the following new clauses were proposed and *agreed to, pro formâ,* in order to their being printed, and re-committed:—

Clause—
24. Power for Cattle-owner to prevent Trespass on his Land.—Clause A.
25. Publication of Abstract of Act.—Clause B.
26. Provision as to removal of Beasts brought by Sea.—Clause C.
27. As to Right to turn out Beasts on Commons.—Clause D.
28. Diseased Beasts not to be turned out on Commons.—Clause E.
29. Defining Counties to which certain Parishes belong.—Clause F.
30. Appointment of general Cattle Inspectors. —Clause G.
31. Inspection of Cattle Sheds.—Clause H.
32. Proclamation of Infected Districts. — Clause I.
33. Relaxation of Prohibition by Local Authority to be approved by Secretary of State after Lady Day.—Clause J.

MR. BANKS STANHOPE inquired when the House could receive accurate Returns of the number of attacks from the cattle plague during the last and preceding week.

SIR GEORGE GREY said, that the Returns were made, not to the Home Office, but to the Privy Council, and he would make inquiry on the subject.

MR. BANKS STANHOPE said, that some alarm prevailed in the country, it being apprehended that there had been a serious increase above what was known of the progress of the disease.

House *resumed.*

Bill *reported;* to be *printed,* as amended [Bill 24]; *re-committed,* in respect of the Interpretation Clause, the Clauses added in Committee, and any new Clauses to be proposed, for *Thursday.*

POSTMASTER GENERAL BILL.

On Motion of Mr. Darby Griffith, Bill to enable the Postmaster General to sit in the House of Commons, *ordered* to be brought in by Mr. Darby Griffith and Mr. Hadfield.

Bill *presented,* and read the first time. [Bill 25.]

TURNPIKE ROADS BILL.

On Motion of Mr. Whalley, Bill to provide for the maintenance of the Turnpike Roads of England and Wales as Public Highways, and for the discharge of the Debts due thereon by voluntary commutation, *ordered* to be brought in by Mr. Whalley and Mr. Ayrton.

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, February 21, 1866.

MINUTES.]—New Writs Issued—For Tiverton, Brecknock, Lancaster County (Northern Division), London, Limerick County, Sunderland, Ripon, Leominster.

Select Committee—On Controverted Elections.

Public Bills — *Second Reading*—Juries in Criminal Cases [16] 2R. *deferred.*

Committee — Telegraph Act Amendment * [23] [*Lords*].

Report—Telegraph Act Amendment * [23].

NATIONAL FAST FOR THE CATTLE PLAGUE.—QUESTION.

Sir BROOK BRIDGES said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to recommend the appointment of a day for National Fast and Humiliation in consequence of the national calamity of the Cattle Plague?

Sir GEORGE GREY: Sir, the opinion of the Government on this subject is distinctly expressed in the letter which, in the name of the Government, I addressed to the Archbishop of Canterbury, and which has been laid before Parliament. The Government still retain that opinion. If a day of humiliation were to be appointed by the authority of the Queen in Council, its observation must be enjoined on the whole kingdom, including Ireland. The course which appears to Her Majesty's Government to be preferable is that which is being adopted in various parts of the country where the cattle disease is severely felt of voluntarily setting apart a day either throughout a diocese, at the suggestion of the bishop, or parochially, for holding a special service to pray for the blessing of God on the means used for arresting the progress of the disease.

THE TAME VALLEY VIADUCT.
QUESTION.

Sir ROBERT PEEL said, he wished to ask the President of the Board of Trade, Whether his attention has been directed by the Government Inspectors of Railways to the alarming condition of several of the arches of the viaduct spanning the Tame Valley, near Tamworth, on the Midland line of Railway, and what steps have been taken by the Board of Trade in the matter, with a view to the protection of life and property? He believed that three of the arches in the centre of the viaduct had given way.

Mr. MILNER GIBSON said, in reply, that owing to the short notice that had been given him, he had been unable to look into the matter so fully as he could have wished. The portion of railway referred to was opened in 1839, before the Board of Trade had jurisdiction or the power of inspection. He was not aware, however, that any representations had been made recently by the Government inspectors, but full inquiry should be made, and he would give the House all the information he possessed.

JURIES IN CRIMINAL CASES BILL.
[BILL 16.] SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN, in moving the second reading of the Bill to codify and amend the Law in relation to the keeping together and discharge of Juries on the trial of Criminal Cases, said, he hoped to be able to show to the House sufficient grounds to induce them to agree to the Motion. Public attention had been recently called to the question of the discharging or the keeping together of criminal juries by the recent case of Charlotte Winsor, which was still pending in our courts, which would not be affected by this Bill. He had introduced a Bill similar to the one now before the House last Session, before the case of Charlotte Winsor occurred; but that measure he had been compelled to withdraw in consequence of the opposition it received from his learned Friend the Solicitor General, and owing to the general desire that then prevailed to get rid of all business which was not absolutely necessary, with a view to the general election. The present Bill would affect the administration of justice in the courts of quarter sessions, as well as in the Superior Courts, and he therefore begged the attention of the chairmen of quarter sessions to its provisions. The Bill consisted of two parts; the first related to the keeping together of juries in criminal cases, and the second to the discharging of these juries; and it proposed to amend the present law in some respects, and in other respects to declare it. The Bill purported to be a Bill for amendment and codification. Some objected to declaratory Bills in general; but it was impossible to introduce a Bill to codify, without embodying in it the existing law. The Speech from the Throne last year called attention to the necessity for codifying the law, but no attempt was made to do so. It was almost impossible for the Law Officers of the Crown to bring forward the necessary measures, and this must, therefore, be undertaken by independent Members, it being left to the Law Officers to see that no unnecessary or improper changes were made. The first provisions of his Bill related to the keeping together of juries. According to the present law and practice, if a case lasted more than a day the jury was allowed to separate, if the charge were one of misdemeanor; but if it were a case of felony, they were not allowed to separate until they had delivered their verdict. The practice had existed so long as to have acquired the force of law. In such a case no Judge would take upon himself to allow a jury to separate, and it required the direct sanction of the Legislature to enable him to do so. It was not evident why there should be any difference in this respect between cases of felony and cases of misdemeanor; and why, if juries were allowed to separate in misdemeanor cases, they should not be allowed to separate in felony cases; and he proposed to make the law the same in misdemeanor and felony cases. The Bill did not propose to compel the Judge to allow the jury to separate, but it gave him a power to allow them to do so in all cases, or to keep them together as he thought proper. There were cases of misdemeanor which were more serious in their character than many felony cases, and with respect to which public feeling was oftentimes greatly excited, and while they were pending it might be inexpedient to allow the juries to separate. On the other hand, there were cases of felony about which there could be no such public feeling, such as larcenies and forgeries, and yet in these cases Judges had no power to allow juries to separate. The present practice greatly interfered with the due administration of justice. Felony cases, which it was thought might be got over by the usual time of the rising of the court, were often taken at a late hour, but something occurred in the course of the trial which rendered it necessary that the court should sit to a late hour to finish it or lock up the jury. The practice, therefore, was for the Judge to sit late and finish the case rather than lock the jury up. It was a practice which he thought ought to be discouraged as much as possible, for juries were as anxious as Members in that House when the dinner hour arrived to get home to dinner, and consequently when that hour arrived the cases did not get that full and careful examination which they ought to receive at the hands of a jury. There was some force in the argument that it might be dangerous to permit the separation of juries in felony cases which involved political or religious feeling; but the same objection applied to misdemeanors. The trial of O'Connell in Ireland lasted between twenty and thirty days, and the jury were allowed to go to their homes every night; and it did not appear that any injury arose in that case to the administration of justice, for in the result the jury returned a verdict in favour of the Crown. The Bill, of course, contemplated that a Judge would not allow the separation of a jury if it would in any way tend to defeat justice. He next proposed to give Judges the power of adjourning a felony case in the interest of the prisoner as well as of the prosecutor before it was concluded when the necessity of the case required it. A case of felony might unexpectedly take such a turn that it might be desirable to adduce fresh evidence on either side, but practically he was prohibited by the present law from doing this, as if he did so he would have to lock up the jury, and in some cases for several days. The next proposal of the Bill was designed to remedy an inconvenience which had arisen in Ireland, where some court-houses were in counties and the nearest hotels were in cities, and as a Judge could not allow a jury to leave his jurisdiction, he was obliged to have them locked up in the court-house. During the recent Fenian trials the inconvenience did not arise in Dublin, but in Cork the juries had to be accommodated in the grand jury room. The inconvenience had been frequently condemned by Irish Judges, and therefore it was that he proposed to remedy it by allowing the jury to be taken from the county jurisdiction into the city for the purposes of refreshments and sleeping. The third and most important change which he proposed in this Bill was that a Judge might order a jury to be supplied with refreshment after they had retired to consider their verdict. The present law which denied them refreshment was a relic of barbarism. Our ancestors seemed to have thought that juries ought to be coerced into giving verdicts, and they knew no other means of coercion were so effectual as starvation. It led to a trial between the strength and weakness of individual jurors, and often the claims of conscience and honest conviction were obliged to yield to physical exhaustion. The alteration of the law in this respect had been advocated by nearly all the public journals, and by many Judges. In 1861, in the case of "The Queen *v.* Charlesworth," Mr. Justice Crompton said that the custom of confining juries without meat, drink, and fire, and so exposing them to hunger, thirst, and cold, seemed to be a barbarous relic of ancient times, which it would be well to get rid of. Within the last month the question was incidentally touched once in the case of Charlotte Winsor, in the Court of Queen's Bench, by Lord Chief Justice Cockburn, who said—

> "There is no authority for that [allowing the jury refreshment]; and, indeed, the authorities are rather the other way. The passage in *Doctor and Student* does not go that length; and, if it did, it could hardly militate against the long-established usage not to allow refreshment after the jury have retired to consider their verdict. The oath of the bailiff is strict in its terms—to keep the jury without meat or drink, &c., and not to allow any one to speak to them without leave of the Judge; and the latter words apply to the not speaking to them, not to the allowing them refreshment. The question is whether, as the system of coercion has been handed down to us by our ancestors, the Judge could take upon himself, without the intervention of the Legislature (and the sooner it occurs the better) to remove the coercion by the mere exercise of his own discretion and authority. I do not think that he could do so."

Sir Colman O'Loghlen

In the last century, he (Sir Colman O'Loghlen) would remind the House, one of our poets had written of this practice—

> "The hungry jurors soon the verdict sign,
> And wretches hang that jurymen may dine."

With respect to the discharge of juries in criminal cases the law had fluctuated from time to time. Before the Revolution Judges took upon themselves the power of discharging a jury whenever they thought that the interests of justice required it; or whenever they thought the Crown had not established a case but was able to do so. Lord Hale held that opinion; but since the Revolution no Judge has ventured to discharge a jury, except in a very extreme case, merely to enable the Crown to make a case stronger. The Bill proposed that, except in certain specified cases, no Judge should have the power to discharge a jury. With respect to the necessity for legislation on this point he would quote the Chief Justice of the Court of Queen's Bench, who, in the case of "The Queen *v.* Charlesworth," said it was impossible not to feel that the law was to a certain extent in an unsatisfactory state, and that in no part of legal procedure had the practice of courts fluctuated more than it had in reference to the discharge of juries. In the case of Charlotte Winsor, the same Chief Justice said—

> "We are dealing here not with one of those fundamental principles which lie at the very basis of our system of criminal jurisprudence—such as the maxim that the Judges shall decide questions of law, and juries questions of fact, or that the verdict of a jury should be unanimous; but we are dealing with a mere matter of practice which has fluctuated at various times, and perhaps at present may not be considered quite settled."

Surely a law which had been pronounced by the Lord Chief Justice in an unsatisfactory condition, and which he had this month stated to be considered not quite settled, was a law which this House ought to deal with, and its doing so could not be considered unnecessary legislation. The case of "The Queen *v.* Charlesworth" was a case in which this House directed a prosecution for bribery; a witness refused to give evidence; the Judge committed him for contempt and discharged the jury. The question whether he was justified in doing so came before the Court of Queen's Bench, and the result was certainly most extraordinary. Two of the Judges, Mr. Justice Crompton, and he believed Mr. Justice Wightman, held that the Judge was wrong; Mr. Justice Blackburn held that he was right, and the Lord Chief Justice could not make up his mind, but was inclined to agree with Mr. Justice Blackburn. Such a state of the law required the intervention of the Legislature. The Bill proposed that a jury should not be discharged after a party accused had been given to them in charge, except in cases that were specified. These exceptional cases were the separation of the jury without leave, the sudden illness of one of the jurors, or of a witness, or of the accused. A Judge now had power to discharge a particular juryman who might be ill, but it was doubtful whether he could discharge the jury. This Bill would give him power to discharge either the particular juryman, or the whole jury. It was doubtful, now, if a Judge had the power to discharge a jury even if they separated without leave; but if they so far forgot themselves, it was desirable that the Judge should have the power to discharge them. He would give the power. His Bill dealt with the difficulty that arose in the case of Charlotte Winsor. It had, however, nothing to to with the case of Charlotte Winsor, and if the House should consent to the second reading he would consent to the further proceedings being postponed till the case of Charlotte Winsor had been settled by the Exchequer Chamber. He proposed to give power to a Judge to discharge a jury, if they could not agree to a verdict in a reasonable time; what was reasonable time being left to the decision of the Judge without appeal. He also proposed that a jury might be discharged should the Judge be taken ill. By another clause he proposed to give power to receive, if necessary, a verdict on a Sunday. A doubt had arisen on this point in the case of Charlotte Winsor. The jury were locked up for several hours on Saturday; and the question arose whether the Judge could receive the verdict on the following day; or whether, in the event of their agreeing on Sunday, they must continue locked up till Monday. The point as to the legality of taking a verdict on a Sunday had not been formally decided, but the opinion generally expressed by the Judges was that it was not legal. To obviate all difficulty in future he proposed to enact that the verdict of a jury who had been locked up on Saturday night could be legal if taken on Sunday. This was simply giving a power which it was expedient to have, and which Her Majesty herself exercised last week in giving Her Royal Assent to the Bill for the suspension of the Habeas Corpus Act in Ireland on a Sunday. These were the main features of the Bill, and he hoped the House would consent to read it a second time. Any points of detail could be fully discussed and settled in Committee, and he was not so wedded to the measure as it stood that he should object to any amendment that would render its working more satisfactory.

MR. NEATE said, he thought the hon. and learned Member had made out a good case and did not want to encumber him with help; but he would refer to the practice of the French Courts with respect to allowing refreshment to jurors. Some time ago he was present at the hearing of a remarkable case, when the jury, at three o'clock, expressed a wish to retire to dine. The Judge offered them an hour, but they asked for two hours, and were allowed that time. He begged to second the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

MR. S. B. MILLER thought the Bill so far as it was declaratory was unnecessary, and so far as it was new it involved a most mischievous and dangerous precedent. If the Bill were passed the effect in Ireland would be, that the separation of a jury in a case involving party considerations would lead to its being tried out of the jury-box; and, therefore, a more mischievous innovation could not be proposed. No doubt the proposal was qualified by leaving much to the discretion of the Judge; but in such a case he would not leave the matter to a Judge's discretion. When a prisoner had once been put upon his deliverance, if he were not convicted, he had a right to be discharged, and it would be a most monstrous injustice if the Crown were allowed in such cases to adjourn the trial to procure fresh evidence. He believed legislation in this respect to be altogether unnecessary, and being unnecessary ought not to be encouraged, and if it were once admitted on the ground of difference among Judges, the House would have a busy time of it. The question of refreshment was a comparatively unimportant one, for a Judge had ample power to discharge a jury when he considered it unreasonable to detain them longer. He called upon the Solicitor General to oppose the postponement of a trial after a prisoner had once been given in charge of a jury.

MR. WATKIN said, that addressing

himself to a common-sense view of the question, he thought no gentleman connected with the law would get up and say that the present state of the law with regard to juries was satisfactory. His hon. and learned Friend had only to make out a *primâ facie* case, which he had done, and then the question as to the machinery and the exact mode by which these imperfections of the law were to be dealt with should be considered in Committee. As the law stood at present, if any emergency or difficulty arose, the Judge had no power to make such orders and arrangements as would meet that difficulty in cases of felony, though he had that power in civil cases and in cases of misdemeanor. He hoped the Government would not oppose the Motion before the House, and that they would be prepared in Committee to suggest any Amendments with regard to the machinery of the Bill which they might have to offer.

Mr. GATHORNE HARDY said, the Bill was divided into two parts — one which related to keeping jurors together during the trial; the other with respect to discharging them absolutely. With respect to the first part the hon. and learned Baronet (Sir Colman O'Loghlen) proposed to allow an absolute discretion to the Judge, whoever he might be, whether he were one of the chief Judges of the land, a recorder, or a chairman of quarter sessions. Now, that seemed to be to him to be giving to the Judges a power which they had no more information upon or proper power for exercising than any other person in Court. The case of discharging juries was quite different. But with respect to keeping juries together there might be circumstances wholly unknown to the Judge which would make it most improper to allow him the exercise of any discretion. For instance, there might be some party feeling of which the Judge might know nothing, and if he allowed the jury to separate during the trial the ends of justice might be seriously interfered with. No practical hardship whatever arose from keeping the jury together during the period of trial. The hon. Member for Oxford (Mr. Neate) seemed to think that the Judge had no power to allow juries refreshment before they were locked up. That was not so, although he had never heard of a jury of Englishmen asking for two hours for that purpose. In France, however, where they had better dinners, the juries might be anxious to discuss the subject at their leisure. Englishmen, on the other hand, looked more to the business before them than to satisfying their appetite. With regard to the proposal to allow jurors refreshment after they had been locked up he had no great objection to offer. In most cases, however, jurors took care to provide against danger beforehand. There was a celebrated case in Yorkshire in which the friends outside supplied the jurors with both meat and drink, and a question arose whether the verdict was valid because some of the jurors had more porter than was good for them. With regard to discharging juries, the hon. and learned Baronet proposed to lay down rules beyond which Judges were not to go. In the case of "The Queen *v.* Charlesworth" the Judge thought it necessary to commit an important witness for contempt; there was, therefore, an absence of evidence, and the Judge, in the exercise of his discretion, discharged the jury. But under this Bill the Judge would not have that power in such an emergency, and, therefore, there might be a failure of justice. Now, at a time when the important case of Charlotte Winsor was going to a higher Court the House ought to hesitate before giving its sanction to this Bill. The hon. and learned Baronet was willing to defer the Committee until that had been decided; but why should he ask the House to commit itself to the principles of the Bill, which might be wholly unnecessary, when the decision is given. The hon. Member for Stockport (Mr. Watkin) said there were some defects in the law and that the object of the Bill was to amend it, and therefore the House ought to give it a second reading. Now he objected to such a principle altogether. When hon. Gentlemen presented Bills in that House those Bills must be tried upon their own merits and not on the demerits of the system they proposed to amend. The questions of keeping juries together and of discharging them were not lightly to be legislated upon; and when there was now before the Exchequer Chamber a great case which would call forth the opinions of all the Judges he would ask the hon. Gentleman, not with any hostility to the amendment of the law, but with a hearty desire to see it amended when necessary, not to force the House to commit itself to a decision which might much better be deferred until the Judges had pronounced authoritatively on the question.

THE SOLICITOR GENERAL said, if his hon. and learned Friend (Sir Colman O'Loghlen) had limited his Bill to allowing refreshments to be given to juries after they had retired to consider their verdict he should not have any opposition to offer. The main provision of the Bill, however, was that which related to the power of Judges to discharge juries in criminal cases when they could not agree. It was enough for him to say on that point, to induce the House not to consent to the second reading, that the case of Charlotte Winsor, in which this question was involved, was now pending. It had been argued before the Queen's Bench, who had delivered a very clear judgment, which was generally acquiesced in by the profession. At the same time the Attorney General had thought fit, considering the importance of the case, and also a certain decision of the Irish Judges, which was contended to be not in accordance with that of the Queen's Bench, to allow a writ of error by which the case would go before the Exchequer Chamber. If that Chamber affirmed the decision of the Queen's Bench, there would be no ambiguity whatever as to law for the future; the law would be as clearly settled by it as it could possibly be by any words that could be introduced into an Act of Parliament. It sometimes happened that in endeavouring to clear up subjects we only obscured them. When there was a matter of law or practice clearly settled further legislation was not only unnecessary but mischievous, because doubts sometimes arose which did not arise before. He quite agreed with the hon. and learned Baronet upon the desirability of codifying our law, but by that he understood codification of legal principles. He was not one of those who thought that it was desirable or possible to codify the practice of the courts, for that practice must adapt itself to a great variety of circumstances which no human prescience could foresee. Many provisions of the Bill related to matters of practice, about which there was no difficulty whatever. There was no doubt that refreshment might be allowed to juries before they retired, and there was no necessity to legislate upon that point. It was also perfectly clear that a Judge could discharge a jury in consequence of the illness of a witness, his own illness, or any unavoidable accident happening during the trial, such as the court-house being on fire. But while the Bill appeared to hamper the discretion of the Judges on the one hand, it gave them a wider discretion than was proper on the other. His hon. and learned Friend defined all the cases in which the Judge could discharge a jury; but circumstances which he had not defined might arise in which it might be necessary to exercise a discretion. Suppose a case of collusion between a prisoner and a witness—in the case of "The Queen *v.* Charlesworth" collusion was not established—but in such a case the Judge should have power to discharge the jury. But this Bill would take away that power. That was an instance of the inconvenient way in which the Bill would hamper the discretion of the Judge. In other respects the Bill would give the Judge a power which appeared improper to trust him with. And on that point he must express his entire concurrence with the views of the hon. and learned Member for Armagh (Mr. S. B. Miller). It would not be desirable in important cases to intrust any Judge with the discretion of allowing the jury to separate. It would be said, whether with truth or not, that the jury having gone to their homes had talked over the matter with this person or that, had been tampered with by the Crown or the prisoner, and in any important case was it possible that a verdict obtained under such circumstances would be satisfactory? There was a provision in the Bill which, taken by itself, might be useful—that of enabling a Judge in certain cases to direct that a jury should be taken to an hotel instead of being kept in the court-house. If that, coupled with another provision empowering the Judge to order reasonable refreshment for the jury after they had retired had formed the subject of the Bill, he would have thanked his hon. and learned Friend for having introduced it. He did not think the *status quo* perfect, and he was by no means opposed to reasonable change; but he must ask the House whether he had not shown good grounds why the Bill should not be proceeded with. Under these circumstances, he trusted his hon. and learned Friend, who was a sincere law reformer, would accede to the recommendation of the hon. Member for Oxford University to postpone the second reading until the decision in the Winsor case was arrived at. Otherwise, he should be compelled to move that the Bill be read a second time this day six months.

MR. GEORGE thought it strange that

though they had now in Parliament all the Irish Law Officers of the Crown not one of them felt it to be his duty to attend in his place to give the benefit of his advice upon a matter which equally concerned England and Ireland. The objections which had been urged against the measure were entirely unanswerable. Some of the matters to which it referred were still *sub judice*. As for allowing a jury to separate once that a prisoner had been given in charge, however it might work in England, it would be absolutely impossible that anything of the kind should be allowed in Ireland. The great difficulty in conducting Irish trials was to keep the case to the particular issue sent to the jury—the guilt or innocence of the prisoner; and such a provision as that would be attended with the greatest mischief. To give refreshments to a jury after being locked up was not at all so objectionable, but other provisions of the Bill were either mischievous or unnecessary, and therefore he could not give it his support.

Mr. DARBY GRIFFITH called attention to what he considered the hardship of compelling persons to give their services as jurors without any compensation for their loss of time, while witnesses and every other person connected with the trial were allowed their expenses. At ordinary sessions and assizes there were as many as four sets of jurors called upon to give their services, and it was often done at the greatest possible inconvenience. He recommended the Home Secretary to remedy this grievance, whether anything was to be done by legislation or not.

Sir COLMAN O'LOGHLEN said, he would consent to postpone the second reading, as had been suggested by the hon. Member for Oxford University. He would put it off to the 18th of April.

Motion, by leave, *withdrawn*.

Second Reading *deferred* till Wednesday 18th April.

CONTROVERTED ELECTIONS.

Mr. Speaker acquainted the House, that his Warrant for the appointment of Members to serve on the General Committee of Elections was upon the Table:—Warrant read, as followeth:—

Pursuant to the provisions of "The Elections Act, 1848," I do hereby appoint—The Right honourable Spencer Horatio Walpole, Member for the University of Cambridge; John Bonham-Carter, esquire, Member for the City of Winchester; George Ward Hunt, esquire, Member for the Northern Division of the County of Northampton; The Right honourable Henry Thomas Lowry Corry, Member for the County of Tyrone; Samuel Whitbread, esquire, Member for the Borough of Bedford; and James Clay, esquire, Member for the Town of Kingston upon Hull; to be Members of the General Committee of Elections for the present Session. Given under my hand this twenty-first day of February, 1866.

John Evelyn Denison, Speaker.

Mr. George

OXFORD UNIVERSITY AND LEOMINSTER ELECTIONS.

Gathorne Hardy, esquire, being chosen to serve in this present Parliament as a Burgess for the University of Oxford, and also as a Burgess for the Borough of Leominster, made his Election to serve for the University of Oxford.

NEW WRITS.

For Tiverton, *v.* Right hon. Viscount Palmerston, deceased; for Brecknock, *v.* Colonel John Lloyd Vaughan Watkins, deceased; for Lancaster County (Northern Division), *v.* Right hon. Marquess of Hartington, Secretary of State; for London, *v.* Right hon. George Joachim Goschen, Chancellor of the Duchy of Lancaster; for Limerick County, *v.* Right hon. William Monsell, Vice President of the Board of Trade; for Sunderland, *v.* Henry Fenwick, esquire, Commissioner of the Admiralty; for Ripon, *v.* Right hon. Sir Charles Wood, baronet, Manor of Northstead; for Leominster, *v.* Gathorne Hardy, esquire, who has elected to sit for the University of Oxford.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Thursday, February 22, 1866.

MINUTES.]—The Right hon. Sir Charles Wood, baronet, G.C.B., having been created Viscount Halifax—Was (in the usual manner) introduced.
Several Lords Took the Oath.
Public Bills—*Committee*—Sale of Land by Auction [h.l.] (2); Art [h.l.] (15).
Report—Art (25).

SALE OF LAND BY AUCTION BILL.

COMMITTEE. (No. 2. 2*a*.)

Order of the Day for the House to be put into Committee on the said Bill read.

Lord ST. LEONARDS said, this Bill had been introduced for the purpose chiefly of putting an end to the conflict between law and equity, law holding that every appointment of a puffer vitiated the sale, whereas equity, on the contrary, recognized the now almost universal practice of appointing a puffer, so far as this was necessary, to prevent the estate from being sacrificed. The Bill did not introduce any novelty—it was intended rather to conform the strict letter of the law to the existing practice, and to give protection, as far as possible, both to the owner and *bona fide* bidder. It therefore provided that the conditions should be read before the sale; it provided that if it was declared in the conditions that the sale was "without reserve," no "puffer" should be allowed; but, if not, a puffer was permitted; but if the biddings did not reach the reserve price, the auctioneer was to declare that the land had been bought in on account of the owner. The Court of Chancery was expressly exempted from the operation of the Act.

Lord ROMILLY said, that although no one could doubt the importance of the measure under consideration, yet he was of opinion that it did not go far enough, and that it ought to extend to personal property. He had intended to explain his objection in detail, before their Lordships went into Committee, to the noble and learned Lord who introduced the Bill, but he had been prevented by his occupations from doing so, and he had therefore given notice of the Amendments he should propose. No one could doubt the great importance of the object of the Bill. The conflict between law and equity ought to be put an end to, and one uniform system should prevail. But he was at a loss to understand why this measure was confined to sales of landed estates. He ventured to say that not one reason could be advanced in support of this Bill with reference to sales of land by auction which could not be advanced with far greater force in support of a similar Bill respecting sales of personal property. The number of sales of the latter description was far greater, and the property more valuable. Sales of pictures, ships, reversionary interest in stocks, large quantities of goods in bulk, and sales of plant and machinery were continually occurring and realized a very large amount. But the law regulating both classes of sale at present was the same; and it would be a matter for regret if the law were altered in one and not in the other. It had become his duty, quite recently, to order the sale in the Court of Chancery of a large factory, with the machinery; and it was sold in two lots, one the freehold of the factory, and the other the plant and machinery. If the Bill under consideration passed into law, their Lordships would observe that the freehold of the factory would be sold in accordance with one law, and the plant and machinery under another. It might be said that if the principle laid down by his noble and learned Friend were extended to personal property it would bring in all cases of the sale of books, furniture, and stocks, including mock auctions; but if the object of their Lordships was to prevent persons from being deluded into giving a higher price than the articles were worth, there were no cases in which the interposition of the Legislature were more required than in sales by auction of personal property. In case of sales of land the buyers generally employed an agent to bid on their behalf, and this arrangement was attended by this benefit—that an agent was never carried away by his feelings to give a higher price than the property was worth, but acted merely upon the instructions which were given him. In other cases, however, buyers were continually influenced by their feelings. It was a common thing in sales of farming stock to hold a luncheon before the sale, and the bidders were consequently often in a state of semi-intoxication. That was a great evil, and one which ought undoubtedly to be got rid of. The Bill, therefore, only dealt piecemeal with a subject which ought to be, and might be, treated as a whole; and he therefore suggested to his noble and learned Friend that he should postpone the Committee upon the Bill, as they were as yet at the commencement of the Session, and, after framing it anew to meet the necessities of these cases, to proceed with it again at a later period. Another serious objection to the measure was that it had the appearance of class legislation. The upper classes were those most interested in sales of land by auction, and while laying down principles for the protection of their interests, they appeared to be neglecting those of the remainder of the community. He did not, however, intend to take any further step to stop the Bill, and would leave the matter in the hands of his noble and learned Friend. He had, if persevered in, given notice of some Amendments on the Bill as at present framed. It had been found by long experience that in sales by auction by order of the Court of Chancery the auctioneer ought to be allowed as little latitude as possible. An auctioneer should not be permitted to make a declaration, but ought to be compelled to state everything in writing. A person frequently came into Court with ten or fifteen witnesses, who swore in their evidence that the auctioneer had not made the particular statement in question; that they were in the room the whole time of auction, and that if he had stated it they must have heard it. The auctioneer, on the other hand, would bring two or three persons who swore that they heard the statement made; and the decision that the Court was consequently compelled to arrive at was that the declaration had been made but that it had been made in such a manner as not to be audible to one-half of those present. He wished, therefore, to have all these matters printed upon the particulars of the sale. He did not understand from the Bill before their Lordships whether his noble and learned Friend intended the omission to read the conditions of sale on the part of the auctioneer to constitute invalidity in the sale; if he did it would create a new source of litigation; if he did not the clause would be complied with or not, at the pleasure of the auctioneer. His noble and learned Friend's measure also provided that property knocked down to the puffer bidding in contravention of the law should be sold to the last *bonâ fide* bidder, supposing he were willing to complete the purchase. But there would, no doubt, be conflicting evidence as to the last *bonâ fide* bidder, and, moreover, as property was constantly sold by trustees, if the last *bonâ fide* bidder was allowed to take the property on account of an error by the agent employed to bid, it might be sold very much below its value. What he wished was that there should be an opportunity, by the reserved price given to the auctioneer, to prevent the accidental error of a person employed to bid destroying the property. The only other suggestion he had to make was that a clause should be introduced putting an end to the practice of the Court of Chancery opening biddings after the property had been knocked down to a *bonâ fide* bidder at a sum equal to or higher than the reserved price. The practice had been condemned by Lord Eldon, the present Lord Chancellor, the noble and learned Lord who introduced the Bill, and many other authorities. The only two Amendments he had to propose affecting the scope of the Bill were, first, that the declaration proposed to be made by an auctioneer should be put upon the particulars of sale; and, secondly, that the *bonâ fide* bidder should not be allowed by the mistake of the agent to get possession of property at very much less than its real value.

House in Committee.

Certain Amendments having been made,

LORD ROMILLY proposed an Amendment to Clause 8 (Rule respecting open Sales).

After a short discussion,

Amendment *agreed to.*

Whereupon,

LORD ST. LEONARDS said, the Amendment which had been accepted by their Lordships was entirely at variance with the principles on which the Bill was founded, and he should decline to proceed further with the measure.

EARL STANHOPE trusted they might still have the benefit of legislation on the subject, notwithstanding that the noble and learned Lord had somewhat hastily, as he thought, thrown up the Bill.

THE LORD CHANCELLOR observed, that before the Bill went into Committee, his noble and learned Friend had stated some objections to the principle of the Bill. It did not go far enough, and applied only to auctions of landed property. No one had more experience on this subject than his noble and learned Friend as Master of the Rolls. He therefore hoped his noble and learned Friend would introduce a measure to embrace the objects he had indicated.

LORD ROMILLY said, if this Committee were adjourned for a short period, he would endeavour to frame clauses with that view.

House *resumed.*

ART BILL—(No. 15.)

COMMITTEE.

House in Committee (according to Order).

Clause 1 (Power to lend Works of Art for public exhibition).

LORD TAUNTON, referring to the wording of the side note, said, it would appear that the Bill was intended to have a general application.

LORD STANLEY OF ALDERLEY said, that the Bill only applied to works of art lent to two Exhibitions—the Exhibitions of Historical Portraits, which it was proposed to have in London this year and next, and the Paris Exhibition next year.

EARL GREY said, that he thought it was rather a strong measure for Parliament to authorize the trustees of minors and idiots to send valuable pictures out of the country.

LORD STANLEY OF ALDERLEY said, a great number of pictures had been sent to the last Paris Exhibition, and he had not heard of any of them being damaged.

LORD OVERSTONE said, that a picture by Turner belonging to the National Gallery which had been removed for exhibition elsewhere, had been returned damaged by rubbing, though not very seriously; and another picture by the same artist had been returned with the canvas actually broken. He felt very strongly the danger of sending pictures of great value away from the places where they were deposited, and he thought that trustees would more efficiently discharge their duty by affording to the public every reasonable facility of access for seeing them.

Clause 2 *agreed to.*

Clause 3 (Definition of Owner for the time being).

THE DUKE OF MARLBOROUGH said, that this clause contained a principle of serious importance, started for the first time, and which he thought was highly objectionable. By this clause the national works of art might be sent to the Paris Exhibition; but there was such a rage for exhibitions now in every part of the globe, that if they once allowed works of art to leave this country, although only to Paris, that might be a precedent under which they might be sent anywhere, not only in Europe, but even across the Atlantic. Their Lordships ought to be very careful not to admit such a principle as this; and he would certainly, if the House divided on the subject, support the omission of the words of the Preamble extending the power to lend to the Universal Exhibition at Paris in 1867.

THE EARL OF DERBY remarked, that if these words were left out altogether its omission would defeat the object of the Bill, which he did not suppose his noble Friend (the Duke of Marlborough) to intend.

THE MARQUESS OF BATH drew attention to the fact that this objection was the same as that raised on the second reading of the Bill; and was, in fact, an objection to the whole measure.

THE DUKE OF MARLBOROUGH said, that his object was not to prevent any work of art from being lent by trustees in this country; but simply to make such alterations as should have the effect of preventing trustees from sending works of art out of the country. If he consented now to pass the clause, he would, on the third reading, propose an addition to the clause, which would have that effect.

LORD TALBOT DE MALAHIDE said, that in removing pictures the principal danger to be encountered was in the packing and unpacking, and many accidents occurred in consequence of inexperience and unskilfulness in conducting those two operations. Of course, a great deal of judgment and discretion must be exercised by those who had the selection of the pictures for removal, as many pictures, from old age and other circumstances, could not be exposed to the risk and danger of travelling. He thought it would be undesirable to extend the power now sought to the case of all trustees of private property, and that it would be better to limit it to those who had the charge of public property. He wished all success to the great undertaking which it was intended to carry out in this country in the present year; but he thought that it would be an ungracious and churlish feeling to deny to the Emperor of the French the gratification of seeing some of the *chef d'œuvres* of English art in the Great Exhibition to be opened next year in Paris, especially considering the liberality and generosity with which the Emperor had frequently sent pictures to exhibitions in this country.

EARL GREY hoped that the noble Duke would not press his Amendment. France and other foreign countries had acted very well in respect of our exhibitions, and it would be a bad return on our part to say that pictures from our public galleries might not be sent to the French Exhibition.

THE DUKE OF MARLBOROUGH doubted whether any foreign Government ever had sent its pictures here. He thought Parliament would be putting the trustees of our public galleries in an invidious position if it invested them with a power which it might not be judicious of them to exercise.

LORD TAUNTON concurred with his noble Friend (Earl Grey) in thinking that we should not be acting very courteously towards France if a limitation were inserted which would prevent trustees from lending pictures for the Great Exhibition of 1867.

THE EARL OF MALMESBURY said, he did not recollect any case in which any ancient works of art had been sent from abroad to our exhibitions. Modern pictures had been sent, the private property of foreign sovereigns, or belonging to the artists themselves, and the country was grateful for the loan of those pictures; but, as a matter of history and of fact, he did not recollect any pictures being sent from the Louvre, Florence, Milan, or any of the other places containing the art treasures of Europe to this country for exhibition.

Lord STANLEY of ALDERLEY thought the noble Earl was mistaken. To the last Great Exhibition in London works of art were sent by the Government of France, by the Belgian Government, and, he believed, by other Governments. These works were modern, no doubt, but they were very valuable.

The Earl of MALMESBURY believed it would be found that the works alluded to by the noble Lord were from private collections.

Lord STANLEY of ALDERLEY thought not.

The Marquess of BATH then moved an Amendment to leave out words of the clause which gave the power of loan to the trustees of married women, and of persons labouring under incapacities; and thus confining the power to the trustees of public institutions and to tenants for life.

After a short discussion, Amendment *agreed to.*

Clause, as amended, *agreed to.*

Preamble read.

The Duke of MARLBOROUGH moved to omit the words "and to contribute British works of ancient art to the Universal Exhibition at Paris in 1867."

The Earl of DERBY appealed to the noble Duke not to press the Amendment, on the ground that it would be ungracious to refuse the trustees of our public institutions power to send their pictures to France, while we were permitting them to lend to our own portrait exhibitions in London.

Earl RUSSELL also urged the noble Duke not to persevere with his Amendment.

The Duke of MARLBOROUGH said, that he should be sorry to do anything ungracious or discourteous towards a country with which we are on such friendly terms as we were with France. He would, therefore, withdraw his Amendment.

Preamble *agreed to.*

Report of the Amendments to be received *To-morrow;* and Bill to be printed, as amended. (No. 25.)

The Earl of Malmesbury

CATTLE DISEASES ACT—THE ORDERS IN COUNCIL.—QUESTION.

The Duke of BUCCLEUCH, pursuant to notice, asked Her Majesty's Government, Whether the Local Authorities established under the Orders in Council still exist and will continue until the new local authorities, under the Cattle Diseases Act, are constituted? His Question meant, in other words, whether the Act which received the Royal Assent on Tuesday last abrogated the powers of the local authorities created under the Orders in Council issued by virtue of the Act of 1848. The agricultural world was in a state of the greatest uncertainty on these points. In Scotland considerable time must elapse before the new authorities could be constituted. First, ten days' notice was required; and then, after the Commissioners of Supply met, they had to nominate a number of their body, and the names thus nominated must be sent to the lord-lieutenant, wherever he may happen to be, for approval. The lord-lieutenant then had to find out in the best way he could who were the tenant-farmers to be nominated by him to join this irresponsible body—irresponsible they were, because when once appointed they could not be removed. After the lord-lieutenant had nominated the tenant-farmers not one could be removed, however inefficient and incapable he might be found. Nor was there any power given in the Act to fill up vacancies that might occur from time to time. Never was there a public body so constituted, nor an Act of Parliament so loosely drawn. He had also to ask, whether the Act of 1848, 11 & 12 *Vict.* c. 105, has been repealed by the Act passed this Session, or whether it was only in abeyance; and, if so, what portions of the same Act could be put in force? There was the greatest confusion on this subject both in England and Scotland.

The Duke of ARGYLL would first remind his noble Friend opposite that, although bound to support the Government measure, he had been quite willing to accept the Amendment of his noble Friend, retaining the local authorities as originally constituted. He apprehended that the old local authority, established under the Orders in Council, was by no means extinguished until the new body actually came into existence; and with regard to the interval of time which must elapse, he pointed to the words in the first line of Clause 5 "as soon as conveniently may be after the passing of this Act." With regard to the continued validity of the orders of the old local authority, the 32nd clause of the Act provides that they

> "Shall, so far as consistent with this Act, remain in full force until they are revoked or have expired by lapse of time."

The 11 & 12 *Vict.* certainly was not repealed by the late Act, and only three days ago an Order in Council had been issued under its provision with regard to the outbreak of smallpox among sheep. In one respect, however, there would be a serious interregnum under the recent Act if measures were not taken by the Government before the 1st of March. The Act passed the other day gave full powers as to slaughtering and disinfection, but contained no provisions in reference to matters such as excluding town manure from districts previously healthy. The Bill as originally drawn by the Government contained provisions on all those points; but it was cut in two in the other House, and the first half had been passed by their Lordships without alteration. If the second portion should be sent up to that House in time to be passed before the 1st of March, no difficulty need arise, as the Government, of course, could introduce clauses upon the point. If not, it would be necessary to renew the Order in Council; and he believed public opinion was fast tending towards the conclusion that it was by these after all that the difficulty could best be met.

THE DUKE OF BUCKINGHAM said, only a week now intervened before the 1st of March, the period to which reference had been made by the noble Duke. He thought it most important that some intimation should be given at once by the Government to traders and farmers, as to whether the markets would probably be open at the time named in the first instance, or whether they were to look forward to the renewal of restrictions for a limited time. He hoped the measure which it was stated was about to be submitted to them would be in a shape intelligible to all, and not form such a specimen of crude legislation as that which they had recently been led to adopt, and which must give rise to extreme difficulties all over the country. Thinking, then, that those interested in the disposition of cattle should be relieved at once from the uncertainty in which they were at present placed with regard to the course they had to pursue during the next few days, he strongly urged Her Majesty's Government to take the subject of his remarks into their early and serious consideration.

THE DUKE OF MONTROSE concurred with the noble Duke as to the importance of the subject he had introduced to their Lordships' notice, and hoped the Government would consider whether the Orders in Council should not be renewed.

THE MARQUESS OF BATH remarked that it would not do to continue the Orders in Council for too long a period, or the new Acts of Parliament would only be in force for a few days. Even if the Cattle Plague Bill passed the House of Commons tonight, and their Lordships sat on Saturday, it would be inexpedient, in his opinion, with so little notice, to consider so important a measure until Monday. Then, as Amendments would doubtless be made by their Lordships, it would have to be sent back to the Commons, and thus it could not receive the Royal Assent before Wednesday. But the sittings of the quarter sessions were fixed for Monday, and many of their Lordships would think it their duty to attend them. In that case it would be inconvenient for them to attend to consider the Bill on Monday; and he therefore thought they would come better prepared if the Government were to fix Tuesday for the Cattle Plague Bill, and continue the Orders in Council in operation for four or five days.

LORD REDESDALE also counselled delay. It was impossible fairly to consider the Bill in so short a time as he feared the Government would propose. It was imperatively necessary that the whole subject should be dealt with calmly and deliberately, even if it lessened the period of its duration by some days. It certainly should not be introduced before Tuesday, as their Lordships would not otherwise have time to go over it in as careful a manner as it deserved.

THE EARL OF CARNARVON thought the Bill demanded their best attention, so that when it became law it should not be found to contain the inconsistencies which he was sure the Cattle Diseases Bill would. At the same time, he was sorry to see the matter postponed.

THE DUKE OF MARLBOROUGH said, it was of the utmost importance that the provisions of the next Bill should be discussed quietly and calmly, and he trusted that the House would be afforded the opportunity of fully considering them.

LORD POLWARTH hoped it would be distinctly stated whether the Orders in Council would be renewed.

THE DUKE OF ARGYLL said, that the most serious attention of the Government was being given to the whole subject, and every care would be taken against any difficulty arising between the period for the expiration of the old Orders in Council and that for the new ones coming into operation.

THE EARL OF ELLENBOROUGH remarked that if the Bill were delayed beyond the 1st of March it would be necessary that some measure should be adopted by the Government to bridge over the intervening period.

HER ROYAL HIGHNESS THE PRINCESS HELENA.

Her Majesty's most gracious Message of Tuesday last *considered* (according to Order): Then an humble Address of Thanks and Concurrence Ordered *Nemine Dissentiente* to be presented to Her Majesty thereupon: The said Address to be presented to Her Majesty by The Lords with White Staves.

HIS ROYAL HIGHNESS THE PRINCE ALFRED ERNEST ALBERT.

Her Majesty's most gracious Message of Tuesday last *considered* (according to Order): Then an humble Address of Thanks and Concurrence Ordered *Nemine Dissentiente* to be presented to Her Majesty thereupon: The said Address to be presented to Her Majesty by The Lords with White Staves.

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, February 22, 1866.

MINUTES.]—PUBLIC BILLS—*Resolutions in Committee*—Princess Helena and Prince Alfred—Messages from Her Majesty; Monument to Viscount Palmerston.
Ordered—Vaccination *.
First Reading— Elective Franchise [31]; Vaccination * [33].
Second Reading—Jamaica Government [17].
Committee—Cattle Plague (*re-comm.*) [24].
Report—Cattle Plague [32].
Considered as amended—Savings Banks and Post Office Savings Banks * [5]; Telegraph Act Amendment * [13] [*Lords.*]

LONDON (CITY) TRAFFIC REGULATION BILL—(*by Order*)—SECOND READING.

Order for Second Reading read.

MR. AYRTON said, he wished to make a few remarks with respect to this measure, which, though it had been proceeded with in the ordinary course as a Private Bill, was essentially of a public character. He thought, therefore, that the House ought not to treat it as a mere private measure. According to the Standing Orders it was requisite that a person should have a definite and special interest before he could be heard in opposition to a Private Bill. The consequence of this rule was, that while a measure might affect everybody, nobody was in a position to resist it. This Bill, therefore, would, he believed, pass as an unopposed Bill, for as far as he was aware no person would have the requisite *locus standi* to oppose it. Besides, this Bill was a very extraordinary one. It contained no less than seven heads, and it proposed that the corporation of the City of London should make regulations for the street traffic of London. There was, besides, a general provision that the corporation might make regulations about anything else which was not included in the seven heads. It further provided that these regulations should have effect within a month after they were made, unless the Secretary of State should disapprove them; but if the Secretary of State once signified his approval, neither he nor any one on the part of the general public would have any power whatever to procure the alteration of the regulations, however much inconvenience they might cause. In addition to all this, there were no fewer than twenty clauses imposing penalties on persons who went into the City and did not conform to those clauses. One offence was driving into the City with a carriage constructed in the manner in which, he believed, nearly all carriages were usually built. Then, again, it was an offence, and would cause the infliction of a penalty, to stand in the street and not cross over with sufficient rapidity, to walk negligently, or to walk or drive in a way which did not meet the approval of a City functionary. The measure, in fact, was a monstrous interference with the liberty of the public. Now, the question naturally arose, "If this be necessary in the City, why is it not equally necessary in other parts of London?" He hoped the House would not allow the Bill to pass without some examination and consideration. He would not, however, ask the House to reject it, because some regulations for the traffic of the metropolis, or at least of certain portions of it, were undoubtedly necessary. The course, therefore, which he should propose was the same as was taken last Session when the question was under consideration. The Bill on that subject, it would be remembered, proposed to throw upon the ratepayers the responsibility of indemnifying the promoters of the undertaking, but as the City objected to the proposal, the House referred the Bill to a Committee partly nominated by the House itself, and partly by the Committee of Selection. Furthermore, an Instruction was given to the Committee to examine into that project, with a general regard to the public interests of the metropolis. The proceedings of that Committee were, in the end, extremely satisfactory. He should move, therefore, that after the Bill had been read a second time it should be referred to a Committee of twelve Members, five to be nominated by the Committee of Selection, and the remainder by the House, and that there be an Instruction to such Committee to inquire as to the best means of regulating the traffic of the metropolis.

MR. CRAWFORD said, he thought that any opposition to the principle of this Bill would be very unreasonable, for on no subject had there been so many complaints of late as the difficulty of moving in vehicles or on foot through the City. He would not refer to the circumstances out of which that inconvenience had arisen, but he might mention that one cause was the Railway Stations by which the City was surrounded. The City was now actually impassible at some hours of the day. It was true that an Act had been passed for the regulation of the traffic, but some of its provisions had proved to be impracticable, and now, when the City asked Parliament to place further power in their hands, the first thing they met with was opposition. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had proposed that the Bill should be referred to a Select Committee of a peculiar character, but he had given no previous notice of his intention to do so. He hoped, however, that if the Bill were now read a second time, those who represented the interests of the City would be allowed a few days to determine whether the course proposed was the proper one. Having said thus much on the Bill, he wished to offer a few remarks on the subject of omnibuses. The fact was, that the Bill was opposed by the omnibus proprietors, whose servants set the public at defiance more than any other class of men. He was driving the other day through the Poultry when a three-horse omnibus drew up across the road in the narrowest part, suspending the traffic in either direction until it suited the driver of the omnibus to move on. Now at present there existed no efficient means of preventing this. The omnibus proprietors also claimed a right to have the trace bar to protrude any distance they pleased beyond the wheel, even over the curbstones of the pavement.

MR. LOCKE KING said, he thought the proposal of the hon. and learned Member for the Tower Hamlets was a reasonable one. This was not purely a City question, but one affecting the whole of the metropolis. Nor was it simply a measure relating to omnibuses, as under its provisions no person who drove a two-horse carriage would be allowed, unless the carriage were altered, to take it into the City.

MR. LOCKE said, that some of his constituents had represented to him that if a particular clause in this Bill passed, their trade would be entirely put an end to. He believed that under the clause relating to splinter bars no private carriage could go into the City and pull up at a shop without being liable to be taken into custody by a policeman and carried off to the greenyard, or some place of that sort. He hoped that the House would accede to the proposal of his hon. and learned Friend the Member for the Tower Hamlets, and allow a Committee, composed of persons who were interested in the question, to take into consideration the traffic, not only of the City, but of the whole metropolis.

MR. ALDERMAN LAWRENCE said, that this Bill was brought in in the interest, not of the City alone, but of the metropolis generally, and therefore the City thought it would receive great consideration from the House. The hon. and learned Member for the Tower Hamlets had asked what difference there was between the City and the surrounding districts. The answer was obvious. In the City the streets were narrower and the traffic was greater. London Bridge, for instance, required more regulations than Westminster Bridge.

Motion *agreed to.*

Bill read a second time and *committed* to a Select Committee of Twelve Members, of whom five are to be nominated by the Committee of Selection :—*Instruction* to the Committee to inquire into the best means of regulating the Traffic in the Metropolis.

GRIEVANCES OF INDIAN OFFICERS.

QUESTION.

Lord STANLEY said, he wished to ask the Under Secretary of State for India, Whether he is prepared to state what steps will be taken by Government in consequence of the Report of the Second Commission on the Grievances of Indian Officers?

Mr. STANSFELD replied that he could only say that the very difficult and complicated matter to which the Question of the noble Lord referred, had met with the earliest and most earnest attention of the Secretary of State; but it was, of course, impossible to state the conclusions at which he had not yet arrived, nor was it even possible to name a day on which such a statement could be made, but he might assure the House that his noble Friend (Earl de Grey) would give his earnest and continuous attention to the subject. The House would not begrudge the time necessary to arrive at a conclusion, considering the importance of coming to one which should, if possible, be final, and put a stop to discussion on a vexed question.

INDIA—SINGAPORE—THE STRAITS SETTLEMENTS.—QUESTION.

Lord STANLEY said, he would now beg to ask the Secretary of State for the Colonies, Whether it is intended to transfer the Straits Settlements from the Indian to the Colonial Department, or whether that project has been definitively abandoned?

Mr. CARDWELL said, in reply, that the project had not been definitively abandoned, but the Government had not been able to settle the conditions on which it was to be carried into effect. The question of military defence was still under the consideration of the War Department, and, until that had been settled, the question of the charge upon the Imperial Exchequer could not be determined.

Mr. Alderman Lawrence

EPPING FOREST.—QUESTION.

Mr. DOULTON said, he would beg to ask the First Commissioner of Works, Whether he is aware of inclosures now proceeding in Epping Forest to the extent of many hundred acres, especially near Loughton, Woodford, and Epping; whether he is aware that Lord Cowley has already inclosed nearly 300 acres since the announcement was made of the intentions of Her Majesty's Government in reference to open spaces; whether the Crown has any rights over the land so inclosed, or, if not, the rate per acre at which the Crown's forestal rights have been purchased; and whether it is the intention of Her Majesty's Government to take any steps to prevent any further inclosures, pending the introduction and passing of the Bill promised to be introduced early this Session?

Mr. CHILDERS: Sir, the reply of the Government to the first Question of the hon. Member is that the Department of Woods is not aware of any inclosures now going on at Epping, except within those portions of the forest the forestal rights of the Crown over which have been purchased by individuals. The Government have no information of what is being done on private property, with which they have no concern. The answer to the second Question is, that it is very probable Lord Cowley may have inclosed a certain number of acres—assuming that his is the property—certain rights in respect to which were purchased by Lord Mornington some years ago. As to the remainder of the Question and the rent per acre, all the particulars were laid before Parliament, I think, in 1864. I believe the forestal rights over particular land in question, if it be the land which I suppose it to be, were purchased at between £4 and £5 per acre. In answer to the last Question, I have to state that, with respect to land, the forestal rights over which have been purchased by private individuals, Government has no intention and no power to interfere. With respect to land, the forestal rights over which have not been purchased, the Government is in this position. Two Committees have inquired into the subject, one in 1863 and the other in 1865. The recommendation of the first Committee was as follows:—

> "Two courses presented themselves to the Committee as applicable to the remaining portion of Waltham Forest; one is, to discontinue the sale of the forestal rights of the Crown, vigilantly

to maintain those rights without regard to the question of cost for the purpose of preventing all future inclosures, and to preserve the forest in its present extent and wild uninclosed condition. The other course is to obtain the sanction of Parliament for the inclosure of the remaining portion of the forest, to ascertain the rights of the several parties interested, and to make provision, partly by those means and partly by purchase, for securing an adequate portion of the forest for those purposes of health and recreation for which it has been proved to your Committee this forest has from time immemorial been enjoyed by the inhabitants of the neighbourhood and the metropolis. Your Committee are of opinion that to employ the forestal rights of the Crown for the purpose of obstructing the process of inclosure to which the lords, commons, and copyholders of the manors comprised within the forest are entitled in common with all other persons similarly situated would not only be a course of doubtful justice, but might, in accordance with the experience of the past, fail in securing the desired object."

The Committee of 1865 took the opposite view, and they said—

> "Your Committee entirely concur in the first alternative presented by the Report of 1863, and apply it to all Royal forests within the metropolitan area—namely, 'that the forestal rights of the Crown should be vigilantly maintained, without regard to the question of cost, for the purpose of preventing all future inclosures, and to preserve the forest in its present extent and wild uninclosed condition.'"

Having these two conflicting recommendations, the Government have felt much difficulty in arriving at a decision. The question of the best arrangements for securing the recreation of the people of the metropolis does not primarily concern the Treasury, but I have been in communication with the Home Office and the Metropolitan Board of Works, and I have every hope that something may be done which, without entailing legal expenses on the Department of Woods which is a Revenue Department, may meet the wishes of this House. Meantime, no fresh instructions have been given to that department.

In reply to Mr. Sandford,

Mr. CHILDERS said, the correspondence was not concluded, and it was unusual to lay incomplete correspondence on the table. When the proposal of the Government is before the House, if the hon. Member repeats his Question as to the correspondence, no doubt a satisfactory answer will be given.

WATERWORKS BILLS.—QUESTION.

Mr. FERRAND said, he rose to ask the President of the Board of Trade, If the Secretary of State for the Home Department did not, early in the Session of 1864, promise the House that stringent Clauses for the protection of life and property should be immediately drawn up and inserted in all future Waterworks Bills; and whether such Clauses have been drawn up and inserted in Waterworks Acts since passed; if not, the reason why?

Mr. MILNER GIBSON, in reply, said, he was not aware of any such promise having been made, but early last Session his right hon. Friend (Sir George Grey) stated that a draught of a Waterworks Bill was prepared. He introduced the Bill, and it was referred to a Select Committee, whose inquiry closed so late in the Session that no satisfactory legislation could take place. In accordance, however, with the recommendation then made, another Bill had been prepared, and he hoped shortly to introduce it.

AGRICULTURAL STATISTICS.

QUESTION.

Sir WILLIAM HUTT said, he wished to ask, Whether the Government propose to introduce any measure to authorize the collection of Agricultural Statistics in Great Britain?

Mr. MILNER GIBSON: It is the intention of the Government to ask for the same Vote as last year for the collection of those statistics.

CATTLE PLAGUE STATISTICS.

QUESTION.

Mr. OWEN STANLEY said, he would beg to ask the President of the Board of Trade, If the Reports of the Veterinary Department relating to the Cattle Plague can specify in more detail the Returns of the cattle attacked, killed, or died; whether cows, oxen, or calves?

Mr. H. A. BRUCE said, in reply, that up to the present time the Reports had not distinguished between oxen, cows, and calves. But for the future the duty of sending in those Returns would be intrusted to the local authorities, who would be required to make them to the Privy Council in such form and at such time as they might think fit. He could see no objection, but, on the contrary, great advantage, in adopting the suggestion of the hon. Gentleman.

DISEASES IN SHEEP.

QUESTION.

Sir JERVOISE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether, in view of the Order in Council 4th July, 1865, and also of the Order 19th February, 1866, relating to "sheep-pox or *variola ovina,*" his attention has been given to the Eighth Report of the Commissioners of Her Majesty's Customs, in which that disorder is termed "scab or *variola ovina,*" the first name implying a disease not uncommon in this country, and very easily cured; and whether he has noticed, in the same Report and page (26), that mention is made of

> "Diseases which are sometimes erroneously supposed to be peculiar to Foreign Cattle, but which in reality have existed in the United Kingdom many years before the importation of Foreign animals commenced."

Mr. H. A. BRUCE replied, that he had read the Report, and the passage to which the hon. Baronet had refered was this—

> "The sheep affected by scab or *variola ovina* are rather more than 1 per cent."

He could not believe, however, that the Commissioners really intended to say that "scab" and "*variola ovina*" were synonymus, as they differed in much the same way as itch and smallpox in the human frame. The opinion expressed in the latter part of the Question was a very safe and very possibly a sound one. But from whatever places they came they were now seated in the country. Whether the rinderpest or the *variola ovina* was imported or not seemed a matter of little importance. The vital question was, were they contagious, were they likely to spread, and what were the precautions to be taken against them? Precautions had been taken. Out of seventy sheep lately imported from Copenhagen into Northamptonshire eight had the *variola ovina,* and of a neighbouring flock of eighty-eight ten had died and ten were suffering. The district had been isolated, and, whatever the opinion of the hon. Baronet might be, the general belief was that absolute isolation ought to be enforced.

WEIGHTS AND MEASURES.

QUESTION.

Mr. LOCKE said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce any Bill into Parliament during the present Session to amend the Law relating to Weights and Measures?

Mr. CHILDERS, in reply, said, it was the intention of the Government to introduce a Bill this Session on the subject. The special object of the Bill would be to transfer to the Department of the Board of Trade all the duties at present imposed by various Acts of Parliament on the Controller General of the Exchequer, and to place on a more satisfactory footing the custody of our standards.

In reply to Sir Andrew Agnew,

Mr. CHILDERS said, it would have nothing to do with the coinage.

JAMAICA—MR. GORDON'S TRIAL.

QUESTION.

Mr. BUXTON said, he would beg to ask the Secretary of State for the Colonies, Whether he has reason to believe that the alleged Official Report of Mr. Gordon's trial, which has been published in England, may be received as an authentic copy of the proceedings?

Mr. CARDWELL: Sir, the authentic report of the proceedings on Mr. Gordon's trial, with many other documents, sent by Mr. Eyre to Sir Henry Storks, will form part of the subject-matter of inquiry by the Commission. No copy of those proceedings has reached me, and of course it is not in my power to express any opinion with respect to them.

Mr. BRIGHT: I should like to ask a Question bearing upon this subject, which, if the right hon. Gentleman cannot answer to-night, perhaps he will answer to-morrow. The question is this—Would he be willing to lay upon the table of the House the Despatches received at the War Department, and at the Admiralty, from officers in those services connected with the recent transactions in Jamaica? I presume they must have arrived in this country; and perhaps the Government and the right hon. Gentleman will have no objection to let the House and the country be fully informed respecting them.

Mr. CARDWELL:—The despatches which I have laid upon the table are those which have passed between me and the Governor of Jamaica. With regard to the Question which the hon. Gentleman has put, it certainly requires notice, and as the papers have been sent to other Departments I cannot give an answer.

MR. BRIGHT: Then I will ask the Question another evening.

CATTLE DISEASES ACT.

QUESTION.

LORD ROBERT MONTAGU said, he wished to put a Question, of which he had given private notice, and it would be desirable to say a few words first in explanation. The facts were these. He received a letter yesterday morning from an influential constituent asking him to obtain a copy of the Cattle Diseases Act. He was not able, however, to get a copy yesterday; but in *The Times* of this morning he saw a notice that the Act had been delivered yesterday. He called at the Sale Office to-day, and inquired why he could not get a copy the day before. The answer he got was that the Act had been sold yesterday in such numbers for the private profit of the Queen's printer that they were unable to deliver copies of it that morning, and consequently Members could not obtain them. Now, he begged to ask Her Majesty's Government, Why the public were to be served before Members, and why Members were to be hindered so long from seeing the fruits of their own devices and wranglings; and, secondly, as 40,000 copies of *The Times* could be delivered before seven o'clock in the morning, why the public and the House of Commons could not be served with copies of the Act on the same day?

MR. BARING said, he had received the note which the noble Lord addressed to him only a few minutes ago, and therefore he could not answer his questions. All he could say was this. His right hon. Friend the Secretary of State, immediately after the passing of the Act, desired a letter to be written to the Queen's printer, urging the extreme importance of circulating the Act with the least possible delay among the local authorities all over the country. All the information that he had received was that this Act had been circulated among the local authorities of counties yesterday, and to-day copies would be circulated among the local authorities of boroughs.

MR. SPEAKER: I can add some information on this subject to that which has just been given. The noble Lord communicated with me since the House met. I sent for the chief officer in the Vote Office, and he informed me that he had not received from the Queen's printer any copies of the Act to distribute to Members. The noble Lord states that they have been sold to the public. If that be the case, I should consider that there has been a great omission on the part of the Queen's printer. The right hon. Member for Oxfordshire (Mr. Henley), yesterday mentioned to me the great wish which he knew prevailed that this Act should be speedily printed, and at my request the Clerk at the Table wrote immediately to the Clerk of the Parliaments, wishing that he would communicate with the Queen's printer, and inform him that the utmost expedition should be employed in forwarding the printing of that Act. However, it appears that the copies of the Act have not yet been delivered at the Vote Office. Although this House has not an immediate control over the Queen's printer, I think I may venture to say that a communication shall be made to the Clerk of the Parliaments to prevent the recurrence of such a circumstance.

In reply to Sir JAMES FERGUSSON,

THE LORD ADVOCATE stated, that although by the ordinary law the Commissioners could not meet without ten day's notice, he intended to move the insertion of a clause in the Bill of the hon. Member for North Northamptonshire (Mr. Hunt), which would obviate the inconvenience, and allow the Commissioners to meet immediately.

PRINCESS HELENA AND PRINCE ALFRED.

Messages from Her Majesty *considered* in Committee.

(In the Committee.)

Messages read.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson—You have read from the Chair two Messages from Her Majesty, and separate Resolutions will be proposed with respect to each of those Messages, but the observations I have to make, which I hope will not long detain the Committee, may well include the subject of each Message. The general rules and considerations which apply to Messages of this kind, and the course which the House is invited to take in considering them, are the same in respect to all members of the Royal Family. The House and the public are generally aware of the principles upon which the subject—which in other countries often leads to difficulties—of providing for the Royal Family, is managed among ourselves. As the result of experience it has been found the wisest and simplest course to enter into a negotiation at the accession of each succeeding Sovereign, and the basis of that negotiation is that, whilst the Sovereign surrenders the life interests of the Crown estates, on the other hand a sufficient provision is made by Parliament for the maintenance of the Royal household and establishment. But it is well understood, that although that maintenance includes all that relates to the training of the family, it does not and cannot include that which relates to making competent provision for the members of that family, as they come to adult age and go out into the world. All this devolves upon the Government and Parliament, and they have to consider in each case as it arises what course it may be suitable to take. We have before us now two cases—first, that of the Princess Helena, and second, that of Prince Alfred. The nature of the subject I have to submit to the Committee does not at all require that any reference shall be made to special circumstances connected with the Royal Family. It is, however, a happy recollection, and must give us cheerfulness and satisfaction in the performance of this duty, to consider that the lives of the children of the Royal House have been so full of promise, so full of all that can give grace to youth and excite confident hopes for the happiness of their future lives. But with respect to the Princess Helena, I may venture to say one word beyond what has already fallen from me. Her position has been peculiar. It has been her lot to be the eldest unmarried Princess of the Royal Family during the time which has elapsed since that most crushing of all trials which can sadden human existence has befallen Her Majesty. Under those circumstances, she has been placed in a position which at a singularly early period put to the test all the most important qualities of her character—its strength, its wisdom, and its tenderness. It is but due to the nature of the subject to say that all I now state in Parliament is well known not only to the persons in immediate intercourse with the Royal House but to the public at large. It is well known that during those dark and trying years the Princess Helena, even at her early age, has been alike a stay and a solace to her illustrious mother. As regards the nature of the proposal I have to make in the case of the Princess Helena, it is very simple, for we have only to follow the precedent set in the analagous case of the Princess Alice. About four years ago when the marriage of the Princess Alice was about to take place, a proposal was made to the House, and accepted by the unanimous will and pleasure of the House. It was that we should empower Her Majesty to endow the Princess Alice with an annuity for life, amounting to £6,000 a year, and likewise vote a dower of £30,000 to be given by Her Majesty to the same Princess. These two steps will be precisely repeated on the present occasion. I can, consistently indeed with form, only introduce at this moment the first of the two proposals; that is to say, the Resolution relating to the annuity for life. And I will ask the Committee to resolve that the annual sum of £6,000 be granted to Her Majesty out of the Consolidated Fund of Great Britain and Ireland, to be settled as Her Majesty shall think fit on the Princess Helena Augusta Victoria, and to commence from the date of her marriage with Prince Christian. The dowry will, in the regular course, be taken in Committee of Supply. It will be the first business, and to-morrow, when the Speaker leaves the Chair, it will be my duty to move that a dowry of £30,000 be granted to the Princess Helena. I come now to the subject of the second Message —the arrangement proposed with respect to Prince Alfred, on his coming of age. Nothing strictly analogous to this proposal has been submitted to Parliament for a considerable time; but Her Majesty's Government have considered with what care they could, on what footing it would be right to place the establishment of a young Prince of the United Kingdom on his coming of age, and the result I will submit to the Committee. I ask the Committee to resolve that an annual sum of £15,000 be granted to Her Majesty out of the Consolidated Fund to be settled on Prince Alfred Ernest Albert for his life, in such manner as Her Majesty shall think proper, and to commence from the coming of age of His Royal Highness. The annuity to the Princess Helena will date from an event still in the future—that of her marriage; the annuity to Prince Alfred will date from a period that is past, inasmuch as he attained his majority in the last year. The case of a Princess contracting a marriage naturally leads to an arrangement which, according to precedent, should be proposed and considered as a final arrangement. The case of a Prince attaining his majority does not stand precisely on the same position. Circumstances might arise affecting the condition of that Prince, and making it necessary to reconsider the grant to be voted to-night. It might be that he would attain a position of charge and responsibility elsewhere, which might have the effect of rendering him either wholly or partially independent of any provision from the revenues of this country. We feel that the possibility of such an occurrence will be best met, not by any provision of a positive character, but by a simple provision as to the right of the Crown and of the Legislature of the country to consider such a case as equity and policy shall require when the contingency arise. On the other hand, it is desirable that the House should clearly understand that the proposal we now make is a proposal for the due maintenance of the station and establishment of a son of Her Majesty during his unmarried life, and that in the event of the Prince Alfred contracting a marriage, it would be our duty again to submit the subject to the House, and call upon Parliament to make any further provision that the altered circumstances would require, both in regard to an annual allowance and to the contingency of jointure. This explanation, I think, contains nearly all I would say on the subject. As to the amount we propose should be granted to the Prince, I will add only a very few words. I think the amount ought to be considered from two points of view; and that no one can duly estimate it who forgets either of these points of view. If we look at it from the side of Parliament, from the side of those who grant the provision, of those who furnish the funds out of which it is paid, no doubt it is a liberal provision. It is a provision, the granting and accepting of which is made far more easy and satisfactory by its being given, as these provisions have been given by Parliament during the present reign, with general, I may say with unanimous, satisfaction. But, on the other hand, if we look to this provision from the second point of view to which I have referred, it cannot be regarded as immoderate. Considering the station of the receiver, considering how desirable it is, how essential it is, that we grant an income that will secure the independence so essential to the character and dignity of that station, considering the calls that station brings with it, and the heavy expenses in every form that attends it, I think it will be admitted by all classes of the community, that, having regard to the customs of the country, the habits of society, and the fortunes commonly attained and dispensed among various orders of men, that if this be a grant which it is liberal for Parliament to make, so also it is one as moderate as the Crown and Royal Family ought to receive. With these words I place, Sir, in your hands the first Resolution which I beg to move—namely, that an annual income of £6,000 be granted to Her Majesty out of the Consolidated Fund, to be settled on Her Royal Highness the Princess Helena for life in such manner as Her Majesty shall think fit, to commence from the date of the marriage of the Princess with Prince Christian. I have only to say that the terms of the Resolution, according to the established form, are entirely absolute, and that the only conditions that attach to the grant of the annuity are usually, on these occasions, inserted in the Bill. The right hon. Gentleman concluded by moving the following Resolution:—

> That the annual sum of Six Thousand Pounds be granted to Her Majesty, out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness the Princess Helena Augusta Victoria for her life, in such manner as Her Majesty shall think proper, and to commence from the date of the Marriage of Her Royal Highness with Prince Christian of Schleswig-Holstein Sonderbourg-Augustenburg.

MR. DISRAELI: Sir, I rise to second what I believe to be the judicious and well-considered proposition of the Ministry. I think that the Chancellor of the Exchequer did right in recalling to the recollection of the House, and the country, the conditions under which Her Majesty at her accession relinquished her power over the large estates of the Crown. At the time when the Civil List Act was passed I confess that I had very great doubts as to the policy of that measure, because it occurred to me that when the time arrived that appeals to Parliament by the Crown of this character had to be made, the circumstances under which the original Civil List Act was passed would be forgotten, that Her Majesty would be appealing to a new generation, and the whole character of the Royal claim might be subject to great misinterpretation. Therefore, I think it was most wise and discreet on the part of the Chancellor of the Exchequer to call to the recollection of Parliament the circumstances under which the Civil List Act was originally passed. But I have pleasure always in feeling on occasions like the present that the happy circumstances under which we find ourselves in this country with regard to the Royal Family have baffled all the forebodings that were felt at that moment. The Royal Family have built up their hearth on the principle of domestic affection—a principle which is deeply, and I trust will be for ever, cherished in this country. Therefore, when occasions like the present occur, there is really no embarrassment for the Crown and no difficulty for the Minister. And Her Majesty may be assured that, on this and on all similar occasions, when a claim such as this is made upon her subjects, it only elicits a fresh renewal of respectful affection from a grateful and devoted people.

Resolution put, and *agreed to.*

The CHANCELLOR of the EXCHEQUER moved the second Resolution—

That the Annual sum of Fifteen Thousand Pounds be granted to Her Majesty, out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on his Royal Highness Prince Alfred Ernest Albert for his life, in such manner as Her Majesty shall think proper, and to commence from the date of the coming of age of His Royal Highness.

Mr. E. P. BOUVERIE: With reference to this grant I am not going to make any objection, because I believe I only express the unanimous feeling not only of ourselves, but of our constituents when I say that we are always glad when this House can do anything that contributes to the comfort and happiness of Her Majesty. The Chancellor of the Exchequer has, however, referred, in vague phraseology, to certain contingencies which may arise in reference to this annuity, and which, I think, were not quite understood or appreciated by the House. My impression is that one of the contingencies to which he referred, although he did not expressly say so, was the circumstance that the principality of Saxe-Coburg-Gotha is settled upon Prince Alfred, and that he is at any rate the heir presumptive of that sovereignty. The right hon. Gentleman did not explain the nature of the conditions he proposed to make if that contingency occurred in regard to that principality, but I gathered that he intended that the annuity now to be voted is not at any period absolutely to cease, but that provision is to be made when the contingency arises, so as to give Parliament an opportunity of reconsidering the question. Now, I must say that that is an arrangement which will place Parliament and the House of Commons in a very ungracious position. Although I own it would be more acceptable to the public that the annuity should cease when that contingency arose—and this would be the more reasonable arrangement of the two—yet, if I were asked whether I would prefer such an invidious reservation as that at which the right hon. Gentleman has hinted, or that the annuity should be granted absolutely, I confess I should prefer the absolute grant, and not entail upon our successors in this House the task of deciding whether, upon that contingency, the annuity should continue or cease. I do not know whether I drew the right inference from what the right hon. Gentleman said, but I thought it my duty thus early to express an opinion upon this subject.

Mr. HADFIELD said, he wished to ask whether this annuity would be alienable? Would it be in the power of the Prince to transfer it, or charge it in any way whatever? Of course, he wished the Prince to have the sole personal enjoyment of the annuity.

The CHANCELLOR of the EXCHEQUER: In answer to the Question of my hon. Friend the Member for Sheffield, I wish to call his attention to the terms of the Resolution, that the annual sum specified

"Be granted to Her Majesty, to be settled upon his Royal Highness Prince Alfred Ernest Albert, in such manner as Her Majesty may think proper."

The course that has been usually taken by Pariament, and which, I trust, will be taken on the present occasion, is to recognize the function of the parent; and, certainly, if ever there was a case of a Royal Family and of a parent in which we ought to recognize that their station and responsibility, their cares and enjoyments, have done nothing to abate the strength of domestic affection, or deaden the sense of domestic duty, it is the case in which we are now concerned. Therefore, the Resolution rests upon the proper basis when we propose that the annuity shall be settled in such manner as Her Majesty shall think fit. But it has been the practice of Her Majesty to call in the aid of her great Council of

Parliament in cases where it is thought fit that particular conditions should be inserted in the Bills to be enacted for the purpose of giving effect to the Resolutions. Perhaps I ought to remind my right hon. Friend (Mr. Bouverie) that, not in this case only, but that generally in the case of money grants, from the nature of our forms in preliminary Committee, we begin by making our grant in the widest terms, because it is not in the power of this House to make any extension of the Resolutions imposed by the Committee, and that any provision for limitation is always reserved for the subsequent stages of the Bill. In that manner it is proposed to proceed on the present occasion, and to follow the precedents afforded in the cases of the Crown Princess of Prussia and the Princess Alice —especially the latter, because there the analogy extends, even to the sum inserted in the Resolutions. My right hon. Friend suggests that it would be agreeable to the people of this country to provide for an absolute cessation of this annuity in the event of the arrival of a contingency to which he has alluded. I may again say that I would venture to recommend my right hon. Friend to see and to weigh any terms that may be inserted in the Bill before he forms a final judgment upon them. I will at once say that we are not prepared to insert such a clause in the Act, and on this one ground, which, I confess, appears to me to be absolutely conclusive—that it will be impossible to define absolutely all the contingencies on which such a cessation ought to take place, if it is to take place at all, and that nothing could be more inconvenient than to refer to one such contingency, and thereby by implication to exclude every other. On that ground I hope my right hon. Friend will abandon that idea, and with respect to his approval or disapproval, that he will kindly look to the words in the Bill, and then form his judgment upon them.

SIR GEORGE BOWYER said, he thought that the observations of the right hon. Gentleman the Member for Kilmarnock (Mr. E. P. Bouverie) were entitled to great weight, and he did not think they had been adequately answered by the Chancellor of the Exchequer. It appeared to him that they ought to take one of two courses: either they should give the annuity absolutely and on the understanding that under no circumstances occurring in future should it cease, or else they should provide for the cessation of the annuity in the event of His Royal Highness becoming a foreign Sovereign. If they did not do that he thought they would not only place those who might sit in Parliament when that contingency arose in an invidious position, but would place His Royal Highness himself in an awkward situation. Any hon. Member might rise and propose the cessation of the annuity, and then a discussion would occur, which he thought would be unpleasant both to the House and the Royal Family. His Royal Highness would be placed in a very awkward position in having to defend his annuity after he had become a foreign Sovereign in the event of any one proposing that it should cease. He would, therefore, impress it upon the Government that they should look the question in the face as a matter of business, and decide upon it now, making up their minds when they introduced the Bill whether the annuity should be granted absolutely, or whether it should cease upon the contingency to which he had referred.

Resolution put, and *agreed to.*

Resolutions to be reported *To-morrow.*

MONUMENT TO VISCOUNT PALMERSTON.

Monument to Viscount Palmerston *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson—I rise, Sir, for the purpose of placing in your hands the Resolution of which I have given notice—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the memory of the Right honourable Viscount Palmerston, with an inscription expressive of the Public admiration and attachment, and of the heavy loss which the Country has sustained by his death; and to assure Her Majesty that this House will make good the expenses attending the same."

And, Sir, I need hardly say that I anticipate the unanimous assent and approval of the House. It is, indeed, true, and more than this, it is rather a marked feature of our habits, that the occasions on which Parliament has been asked to present addresses or to take other measures contemplating the erection of monuments at the public charge, for the Civil servants of the State, have been very rare. The general rule of

England is to leave it to friends and to the impartial estimate of public opinion to determine upon and select those memorials which may be due to the fame, the virtues, and the performances of the dead. But in certain cases Parliament has thought fit, upon strong grounds, narrowly and well-defined, to depart from its usual reserve, and to make the nation, through the medium of its vote, the organ for expressing its opinion of those who have passed from among us, by means of a public monument. As far, Sir, as I know, there have been within the last 100 years but three of these monuments—three, I mean, as applicable to Civil servants of the State. In the case of Lord Chatham and in that of Mr. Pitt votes of this kind were passed, and they were passed for men who, as historical figures, tower above all their contemporaries. It was done also in the case of Mr. Percival, who, like Lord Chatham and Mr. Pitt, was Prime Minister of this country, who lost his life in the actual discharge of his duty, in a manner to signalize the occasion which naturally drew from Parliament some marked and striking expression of the public feeling. In the case of Mr. Canning there was no public monument. Another method was adopted by the Government and the Parliament of the day for testifying the sentiment which the nation entertained. And now, Sir, we come to the case of Lord Palmerston, and I think there can be little doubt—I believe there can be no doubt in the minds of any who hear me—that the Government have judged wisely, and have but answered the general anticipation, in the proposal which they now make. Lord Palmerston, like the three men whom I have named, was Prime Minister of this country; and although he did not attain to that dignity until what is with most men the declining age of three-score years and ten, yet long before that time he had been one of the most eminent, one of the most famous, of the Civil servants of the State; and after he had attained to it, it was his lot to hold it for a period of nearly ten years—a period longer than that for which it had been held, I think, by any Prime Minister, except two, during a century. But it was not only the time for which he held that high dignity, although that of itself constitutes a marked distinction in the case of Lord Palmerston—it was the general position which he held in the view of the Parliament and the country, the place which he established for himself in the feelings and the recollections of his countrymen, that have led to the making of this proposal. Sir, on this occasion it would be an entire departure from usage, and from a usage founded upon prudence, if I were to attempt by a single word that I might say to make this tribute the tribute of a Ministry or of a party, instead of being, as it really is and should be, the tribute of a Parliament and a nation. I will refer but to two points which I think were truly national in the career of Lord Palmerston. It was his happy lot as Foreign Minister and as Prime Minister of this country to be closely associated with that remarkable extension of constitutional freedom in Europe which has been among the happy characteristics of the present age. I need not speak of Belgium; I need not speak of the Peninsula; but as to Italy I will venture to say that Lord Palmerston was one of the first and most prophetic of those who in England discerned the growing and gathering destinies of that country; and I believe it would not be extravagant to say that in that kingdom his name may claim a place by the side and on a level with that of her most distinguished patriots. It was the lot of Lord Palmerston to be the Minister who brought to an honourable conclusion a war taxing severely the energies of his country—a war undertaken for no narrow, selfish, or interested purposes, but aiming solely at preventing a breach of those principles which are necessary for the safety, the peace, and the well-being of Europe. It happened, and fortunately happened, that this war was arrested at an early stage—at a stage when the resolution of the country was, as it were, but stirred from its depths, and the resources of the country were perfectly unbroken. The English people were contented to stop in their career, and to receive with entire satisfaction the conclusion of a peace, moderate, wise, and considerate in its terms; and I believe I may say that they were led in no small degree to that favourable view of the negotiations and the termination of the war by the confidence which they reposed in the nobleman then at the head of the Government. But, Sir, there was another topic of life-long interest to Lord Palmerston, most thoroughly national in its character, most vitally associated with English history, which it would be unpardonable not to mention on this occasion. I mean the deep, the unfailing interest which, at all times, and in every position, Lord Palmerston exhibited, not by words merely, but by actions, in the fate of the unhappy African race, whose history is for the most part written only in blood and in tears. It is needless to go back upon detail. Happily, as there is nothing more truly brilliant, so there is also nothing more conspicuous and better known in his career than the fact that in every step of negotiation and of policy the mind, the heart, and the voice of Lord Palmerston were ever enlisted on behalf of that long down-trodden, but we trust at length, rising race. While, Sir, I think the House will agree with me that it is desirable to avoid all doubtful ground, I yet presume to say that Lord Palmerston had the reward of his untiring zeal, his immense energy, and his long-continued labours in an amount of public admiration and attachment (to use the language employed in this Address)—I might perhaps substitute for attachment even a still warmer term—I certainly may say in addition to admiration and attachment, in an amount of public trust—such as upon the whole, when we consider its extension throughout the country and its duration over so many years, has surpassed that which has fallen to the lot of any other statesman of our time who has borne office under the Crown. It would be a great mistake to suppose that this attachment was limited to any class, any party, or any portion of the community. It prevailed in the upper class, among the aristocracy of the land, to whom by blood and by character Lord Palmerston belonged; it pervaded the powerful and intelligent middle class of the country: it descended into the ranks of humble and honest labour. In all of these—nay, I would venture to say, in all of these alike—his character and services were favourably and warmly appreciated, in, I believe, a higher degree and for a longer time than those of any other Civil servant of the Crown. Sir, in this place, too, it is impossible not to cast back a thought on the influence he here exercised. There was connected with that influence something which it would be unpardonable altogether to pass by. All who knew Lord Palmerston knew his genial temper and the courage with which he entered into the debates in this House; his incomparable tact and ingenuity—his command of fence—his delight —his old English delight—in a fair stand-up fight. Yet, notwithstanding the possession of these powers, I must say I think there was no man whose inclination and whose habit were more fixed, so far as our discussions were concerned, in avoiding whatever tended to exasperate, and in having recourse to those means by which animosity might be calmed down. He had the power to stir up angry passions, but he chose, like the sea-god in the *Æneid*, rather to pacify.

> "Quos ego—sed motos præstat componere fluctus."

The position of Lord Palmerston in this House was, I may add, not due to any laboured or artificial rhetorical effort. There are, however, many now present who recollect the Session of 1850, and who then learnt to what a height of real and solid excellence the Parliamentary oratory of Lord Palmerston could attain. The occasion to which I refer was a great one. We were all arrayed on one side or the other. I myself was humbly placed in the ranks opposed to him; but I never can forget the sentiments of admiration with which I—not differing from those around me, but merely sharing their opinion—listened to him throughout that long summer night as with unparalleled courage and with extraordinary clearness, force, and felicity of argument he went point by point through the foreign policy of England, that is to say, through the politics of the world, and satisfied the House on the points of controversy which had been raised. Sir, the character of Lord Palmerston as an orator—his character as a statesman—his character as a man, are not to be determined by me. I cannot, however, help adverting to what I always regarded as one of the most remarkable qualities of his speaking, though, perhaps, the words in which I express my idea on the subject may raise a smile, so much may they seem to wear the appearance of a simple matter of course. That which, in my opinion, distinguished Lord Palmerston's speaking from the oratory of other men, that which was its most remarkable characteristic, was the degree in which he said precisely that which he meant to express. I have never seen—I may be wrong, but I do not think I have ever seen that precision of measure—that strict identity between the process of the mind—which is during the address of a public speaker to his audience always in advance—and the terms and accents which the tongue employs for the purpose of conveying his meaaning to their intelligence, preserved and maintained so completely as in the case of Lord Palmerston. As I have already said, it is not our manner to endeavour to draw a portrait of a departed statesman on such occasions as the present; and in this instance it is all too soon to make any such attempt. That is the business of the public opinion of the country, and of those who will hereafter record the transactions of the times in which Lord Palmerston bore so conspicuous and distinguished a part, and of whose history he made himself so essential and inseparable a portion. But we have all seen, and we must, I think, desire to record, now that it associates itself not merely with an admiring but somewhat of a tender feeling, the extraordinary courage and the almost unexampled force of will by means of which Lord Palmerston was enabled to undertake for the first time the office of Prime Minister and the leadership of this House at the age of seventy, and to discharge the duties belonging to those arduous positions until he had passed fourscore years. For my own part, I cannot help saying that I believe they are mistaken who attribute only to the Providential blessing of a good constitution the ability of Lord Palmerston, while out of doors he performed the laborious duties of his high office, to set indoors to younger men the example of indefatigable attention to the public business. I am convinced it was the force of will, the sense of duty, and the determination not to give in, that enabled him to make himself a model for all of us who yet remain to follow him with feeble and unequal steps in the performance of some of the duties which it fell to his lot to discharge. His was that force of will which did not so much struggle against the infirmities of old age as repel them and keep them at a distance. One other quality there is which Lord Palmerston possessed which I may mention without the smallest risk of stirring up a single painful emotion, upon which it is most delightful to dwell, and which is the last I shall mention. It is this, that he had a nature incapable of enduring anger or the sentiment of wrath. There may be those who would lead us back to the old philosophical puzzle which many hon. Gentlemen must remember, that as there is no virtue without self-denial, and that as in a perfectly good man there is no self-denial needed to be virtuous, virtue dies at the moment when it attains its perfection. But the true answer to that puzzle in the case of Lord Palmerston is, that this freedom from wrathful sentiment was not the result of painful effort, but the spontaneous fruit of the mind, the noble gift of the original nature—a gift which, beyond all others, it is delightful to observe and to record in those to whom it belongs. It is delightful to remember it in connection with him, who has been taken from us, with whom we are no longer connected except in the endeavour to profit by his example wherever it can lead us in the path of duty and right, and to bestow on his memory that tribute of admiration and affection which it deserves at our hands. On these grounds, Sir, I venture to recommend the Resolution which I have risen to propose to the friendly and, I think I may add, the warm and enthusiastic notice and approval of this House. The rest I leave to the historian, who will hereafter record more fully the deeds of Lord Palmerston, and, above all, to the admiring and affectionate recollection of a proud and grateful nation. The right hon. Gentleman concluded by moving the following Resolution:—

That an humble Address be presented to Her Majesty, praying that Her Majesty will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the memory of the Right honourable Viscount Palmerston, with an inscription expressive of the Public admiration and attachment, and of the heavy loss which the Country has sustained by his death; and to assure Her Majesty that this House will make good the expenses attending the same.

Mr. DISRAELI: I had hoped, Sir, that this Motion might have been seconded by some one who had the honour of sharing the private friendship of Lord Palmerston, and at the same time his political confidence. But as no one has risen, I cannot without great reluctance permit a proposal of this character to pass in absolute silence in this House, as if we on these Benches did not join in the Address to the Crown and the vote to which we are asked to assent with entire cordiality. Whatever differences of opinion there may be on political questions, the memory of sixty years of public service—always distinguished, sometimes illustrious—cannot be allowed to be cherished merely by an admiring or even a grateful country. It is under such circumstances most fitting and most proper that in the chief sanctuary of the realm there should be some outward and visible sign to preserve the memory of a statesman of whom it may be said that he combined in the highest degree two qualities which we seldom find united—energy and experience. I will not touch upon the personal qualities of the man. In this present Parliament I have already presumed to speak of them; I will only say that they were most engaging. I trust, Sir, that the time may never come when the love of fame shall cease to be the sovereign passion of our public men. But, Sir, I still think that statesman is peculiarly to be envied who, when he leaves us, leaves not merely the memory of great achievements, but also the tender tradition of personal affection and social charm.

Question proposed.

Mr. BERESFORD HOPE said, he wished to put in a plea that the monument should be worthy of the great man whom it commemorated, and of the noble pile in which it was to stand. The allegories and monstrosities which pleased our ancestors now palled upon our taste. The present was the time to show that a monument to a great man in Westminster Abbey might be a memorial of the man, and yet not an eye-sore or a disfigurement to the grand building in which it should be placed. Now was the time for the Government to show that the sculptor's art does not consist in allegories, clouds, nymphs, and cupids. Let the work be worthy of the age in which we affect such superiority to our ancestors.

The CHANCELLOR of the EXCHEQUER: I have to make an apology to the House for a strange error on my part. I mentioned three precedents, but I entirely omitted to refer to the precedent of Sir Robert Peel, who is a distinguished example, as he, like Lord Palmerston, had long been Prime Minister of this country.

Sir JOHN PAKINGTON: After what has fallen from the right hon. Gentleman (Mr. Disraeli) who has preceded me, anything which I may say cannot add to the unanimity with which the House is about to vote this monument; but I do think it necessary to express a hope that no unseemly and unreasonable delay may take place in its execution and erection. Twelve or thirteen years ago a monument was voted to the memory of the great Duke of Wellington. Where is that monument, and what security have we that it will ever be erected? I wish to express a hope that we may be informed when that monument will be completed, and that no such unseemly delay will attend the erection of the monument for Lord Palmerston.

Resolution put, and *agreed to.*

Resolution to be reported *To-morrow.*

JAMAICA GOVERNMENT BILL—[Bill 17.]

SECOND READING.

Order for Second Reading read.

Sir JOHN PAKINGTON: Sir, I rise to state that it is not my intention to offer any opposition to the plan which the Government has proposed upon this subject. I feel that it must be a subject of very sincere regret to both sides of this House, and I have no doubt whatever that it is a matter of sincere regret to Her Majesty's Government, that we are thus compelled to take what I may call a retrograde step in colonial policy, by repealing, or, at all events, temporarily suspending the free representative Constitution which has been enjoyed by the colony of Jamaica for upwards of 200 years. But, notwithstanding the regret which I feel for the necessity of taking this retrograde step, I think it will not be necessary that we should enter at any length into a discussion either as to the state of Jamaica or the causes which have induced Her Majesty's Government to come to Parliament with this proposal to suspend the Constitution. I think it impossible that any one who is cognizant of the recent history of Jamaica, or who has made himself acquainted with the contents of the Papers which have lately been laid before us, to doubt that the Government have really very little option in adopting the course which they now have done, and asking the House to consent to the measure which they have submitted to our notice. No one can have read those Papers or have reflected on the history of Jamaica without feeling that the state of that colony has been sadly changed by the events of the last few years, by that policy which, whether right or wrong, was adopted by the Imperial Government with regard to the production of sugar in the West India Islands. Whether that policy were wise or unwise it is now too late to consider, but I think there can be no doubt that the effect of that policy has been to involve this island of Jamaica in a state of increasing misfortune and decay, the result of which is that there now remains in the island neither material for a free representative Assembly nor the basis upon which a free representative Assembly could be founded. The proposal which Her Majesty's Government has submitted to us is very similar to a proposal submitted to the House by the Government in the year 1839, but one difference is this. In 1839 the island of Jamaica was in a state of great excitement, and great party violence prevailed there in consequence of the emancipation of the slaves. Further — I think unfortunately — that measure was proposed in this House at a time when party spirit ran very high, when political parties were very nearly balanced, and when a great party struggle for the government of the country was in progress. I am not sure whether the right hon. Gentleman the Secretary for the Colonies was then in Parliament—I think not; but the Chancellor of the Exchequer was a Member at the time, and if I remember aright he was, like myself, one of that very powerful party which, although in fact a minority, was sufficiently strong to put an end to that measure. I frankly confess my belief that it was unfortunate that we arrived at that conclusion. My opinion is, that if the state of politics had allowed that question to be considered in the calm and dispassionate manner in which we consider the present measure, and if that suspension of the Constitution had then been carried, the history of Jamaica during the years which have intervened would in all probability have been less disastrous than they have been. Another respect in which the cases are dissimilar is that in that case a difference had arisen between the Legislature of Jamaica and the Legislature of the mother country, whereas now there is no difference of opinion between the Legislature of Jamaica and the Legislature of the mother country, and Her Majesty's Government are proceeding to suspend the Constitution of Jamaica, not only because in their judgment that suspension is necessary, but because the Jamaica Government itself has abdicated its functions and declared its own incompetence and incapacity to carry on the business of the colony. Under these circumstances, I, for one, can have no doubt that it is my duty as a Member of this House to give my support to Her Majesty's Government in the proposal which they have made; and with regard to that part of the proposal which relates to the manner in which the Government of Jamaica is to be conducted during the three years in which the Constitution is to be suspended, I think that is a point which we ought to leave to the discretion of Her Majesty's Ministers. It will be at once the course the most prudent and the most acceptable to the colony. I therefore give my cordial support to the proposal which Her Majesty's Government have made. There is one other point to which I will venture for a moment to request the attention of the House. I am most anxious that this occasion should not be taken advantage of by Gentlemen on either side of the House [*cheers*] to initiate a discussion upon recent events in Jamaica. I am glad to hear those cheers; they strengthen me in the hope that I may appeal to the good feeling of Gentlemen on both sides of the House, whatever may be the impression produced upon their minds, to acquiesce in the strong opinion I express that at this moment, while a solemn inquiry is being conducted by a Royal Commission into the unfortunate occurrences at Jamaica, and the conduct of the civil and military authorities there, any discussion of these matters would be premature, and that we are bound in fairness, in honour, and in justice, to suspend our judgments, with regard to the merits or demerits of the conduct of those concerned, until the decision of the Commission is in our hands. I hope I may be met in the spirit in which I speak by the Secretary of State if I strongly deprecate, above all, anything like prejudging the conduct of the parties concerned on the part of Her Majesty's Ministers. I make this appeal to the right hon. Gentleman because I am disposed to believe that a very erroneous impression widely prevails with regard to the manner in which Governor Eyre has been treated by the Ministry. I believe there is a wide impression that, by suspending Governor Eyre, the Government have prejudged and condemned him, and that his suspension was a penal suspension. In justice to the Government, I am bound to say that I, for one, never shared that opinion. I believe, on the contrary, that the Government intended to treat Governor Eyre with perfect fairness. I believe that the right hon. Gentleman opposite, in suspending Governor Eyre from his official functions, had no intention to prejudge him or to express any opinion one way or the other with regard to his conduct. His suspension was nothing more than an indispensable consequence of an official investigation by a Royal Commission, during whose inquiries it was impossible he could discharge the duties of Governor. It was to facilitate this inquiry that he was suspended, and it was not the intention of the Government to prejudge or condemn him. I hope the right hon. Gentleman will have no hesitation in confirming that view.

MR. HADFIELD said, he hoped the right hon. Gentleman would inform the House whether it was true, as was stated on the authority of a Member of the late Jamaica House of Assembly, that the population of the island—about equal to that of Sheffield — was taxed to the amount of £45,000 per year for the maintenance of an ecclesiastical establishment to which not more than one-eighth of the people belong. If the statement were true, he asked from the Government an explanation of their intentions for the future. Was this canker on the prosperity of the island to continue? Was £45,000, or any sum, to be exacted from the people to support a Church to which they did not belong? If so, the island would never be happy. This state of things was worse even than that which existed in Ireland, for in Ireland the Established Church was maintained by the property of the country, whereas in Jamaica it was supported out of taxes levied for that purpose. It was impossible to expect the great majority of the people of Jamaica to submit to a tax so unfairly proportioned.

MR. CRUM-EWING said, that every one who took an interest in the affairs of Jamaica must feel thankful to the Colonial Secretary for bringing in this Bill. There were great differences of opinion in regard to the unhappy event in the island, but he was glad that all parties were now disposed to hold their judgments in abeyance until the report of the Commission was received. The late Assembly of Jamaica was a body which really commanded the respect of no one, and therefore no one regretted its abolition. During the thirty years of its existence it had grossly mismanaged the affairs of the island, and it had failed to introduce any measures adapted to the state of society as changed by negro emancipation. The only good law the Assembly passed was that by which it abolished itself. The Bill now before the House simply affirmed what the Assembly had done. While he heartily approved the Bill, he must say that the period of three years was too short to make an experiment upon the island. He hoped the Bill would not be so limited. Jamaica required, among other changes, a strong Government in order to restore order among the excitable population. The country also needed independent Judges and magistrates, who would be able to administer justice with impartiality. Ample provision, too, must be made for the education of the people. At present great ignorance prevailed in the island. Some time would necessarily elapse before a good Government would be appreciated and the excited feelings of the country allayed. When there should be a good and firm Government, and when justice should be impartially administered to them, and an interest be manifested in their welfare by the authorities, the past unfortunate proceedings would soon vanish from their memory. While, however, there remained evidences of discontent and disorder in the island, capital would never flow to it and commerce would decline.

COLONEL EDWARDS stated that he had, in common with other Members of the House, received a very extraordinary epistle from one of its Members, a Gentleman whose acquaintance he had never had the honour of making, and to whom he had never spoken. Whether it was Parliamentary to characterize the conduct of the hon. Member by the phrase an "unwarrantable liberty," he did not know, but would, if the Speaker should intimate that it was not, apply a more mitigated expression to it. He would take the liberty of reading the letter which had been addressed to him by the hon. Member for Surrey—

> "At the Conservative dinner at Leeds you attacked those who had denounced the doings in Jamaica in very strong terms. I hope you will not shrink from making the same charges in the House of Commons face to face with us. Your speech will, I believe, be alluded to."

In the first place, he would tell the hon. Member for Surrey that he was not one of those who were in the habit of saying things behind a man's back that he would not say to his face, and in the House of Commons too. He was not one to shrink from his duty. Now, as he had been challenged to repeat what he had said at Leeds, the House would allow him a few minutes while he read an extract from the speech which had so much galled the hon. Member. It ran thus—

> "He wished to make one or two observations with regard to the Jamaica question. Was there ever anything in this world so disreputable as the conduct of certain parties? Let them take the facts as they stood. An insurrection, planned years ago, broke out before all the plans were

matured. He thanked God that it did, and it showed that there was a Providence which overlooked us all, and no doubt the premature outbreak of that insurrection was a means to an end. The intention of half-a-million of negroes was to massacre the 15,000 white men in the island, and to take possession of the soil to the exclusion of its rightful proprietors. Fortunately, before these plans were matured, the plot exploded, and they had to thank Governor Eyre for the prompt and energetic manner in which he crushed that rebellion. He hanged its ringleaders, and what then followed? By the return mail thanks and congratulations were sent out from Lord Russell and the Colonial Minister, who appreciated the services of Governor Eyre, and also the services of the army generally. Immediately this was known there was a great howl in Exeter Hall among the Baptists and philanthropists. Mr. Bright denounced the Government of Jamaica and everybody connected with its policy, and said it was wrong altogether. But the fact was that had it not been for Governor Eyre's promptitude in the way in which he dealt with those atrocious murderers, who had already sacrificed the lives of numbers of our countrymen, the whole white population of that island would have ceased to exist months ago. Lord Russell, feeling the iron hand of Mr. Bright, trembled in his shoes, and wrote out at once to suspend Governor Eyre, that a Commission would issue forthwith, thus punishing him prematurely, and the troops, instead of receiving honour from the Crown, had to abide the result of the inquiry. Was there ever such a miserable piece of administration? Was there ever such gross injustice done, not merely to Governor Eyre, but to the gallant troops under his command? If the troops of the British Isles—if the troops under the command of Her Majesty—were to receive no thanks from the weak, impotent, degraded Government, where were they to look? Where would the country find troops to serve her, or Governors to protect her colonies, if they were thus treated?"

Having read the words he had uttered at the meeting held at Leeds, he must thank the hon. Member for the honour he had thus conferred upon him in bringing his name before the House of Commons; because he thus obtained the opportunity of making the world aware of what were the notions of one Member, at all events, respecting the atrocities committed in Jamaica, and the conduct of the Government towards the Governor of that island. His speech at Leeds was certainly an after-dinner effusion, and, therefore, it would not, perhaps, go far beyond the precincts of the town; but now, in consequence of the interference of the hon. Member for Surrey, he was able, by means of the press, to place his views before the country. If, however, the House of Commons were to be called upon to listen to what had occurred at public meetings throughout the country, its time would be wasted and the interests of the nation altogether

neglected. He therefore hoped the conduct which the hon. Member for Surrey had pursued would be generally discouraged by the House. He did not retract a single syllable he had uttered in his speech at Leeds. His impression at the time he made it was that it was entirely correct from beginning to end, and that impression had since become a conviction, and neither the arguments of the hon. Member for Surrey, nor those of any other Member, would change his views untill he had seen the Report of the Royal Commission.

MR. CARDWELL: Sir, I am glad—notwithstanding the little episode to which we have just listened—it appears to be the opinion of the House that we are acting wisely in avoiding discussion with reference to the late proceedings in Jamaica. In answering the appeal made by my right hon. Friend opposite (Sir John Pakington) that we should proceed with the Bill without reference to the general question, it is only necessary I should say, that as has been most handsomely admitted by my right hon. Friend, the course we have been compelled to take was, upon the whole, the only course open to us. I have great pleasure in stating that the construction he has put upon that course, in regard to the motives of the Government, is the true and right construction. Nothing was further from our intention than in the smallest degree to prejudge the case on either side; and I am bound to say that I can conceive no conduct more unworthy than ours would have been if we had sent the Governor before the Royal Commission with any prejudgment expressed by us with regard to any portion of his conduct. Perhaps I may be permitted to read the concluding paragraph of the despatch in which I conveyed to Governor Eyre the views of Her Majesty's Government. In the early portion of the despatch we stated that an inquiry must take place; and that, if it was to be conducted fully and impartially, it must be conducted by independent persons who had themselves taken no part in the proceedings. If we consider the safety of the colony, it was manifest that that safety might be endangered by an inquiry injudiciously conducted. If we consider the efficiency of the inquiry, and the confidence which it ought to inspire in the general community, whether in Jamaica or in this country, it is manifest that it must be conducted by independent persons. The Government rightly thought that it was impossible to hold the Governor responsible for the safety of the colony, and, at the same time, to subject him to a searching inquiry with regard to the measures he had adopted in repressing the outbreak which had already taken place. Whether, therefore, we considered the safety of the colony, the efficiency of the inquiry, or the position of the Governor himself, we felt that it was our duty to direct that the inquiry should be conducted by independent persons. Well, then, Sir, I will read the passage, in order that I may show the feeling entertained by the Government on this subject. It is as follows :—

> "In conclusion, I will only repeat on the part of Her Majesty's Government that, while we feel it to be our imperative duty to institute this inquiry, we desire by every means in our power to guard against in any way prejudging its result. Our earnest hope is that the result will be to satisfy us on the points on which it is necessary for us to be satisfied, and at the same time to exhibit the conduct of those whose duty has compelled them to take part in those proceedings, and to whom the suppression of the outbreak is due, in a light consistent with their position and character, and especially, in your own case, with that high character for courage and humanity for which you have always been distinguished."

I trust that these views of Her Majesty's Government will be a conclusive proof that the credit which the right hon. Gentleman so handsomely gave us for the motives which influenced us was not undeserved. With respect to the measure now before us, I have little more to add except to express my obligations to the House for the candid manner in which the proposal has been received. It is, no doubt, a matter of great regret to both sides of the House that a popular form of Government which has existed for 200 years should come to a conclusion, and that we should be compelled to substitute for it the form of Government now proposed. I quite agree with the right hon. Gentleman that those who have traced the history of Jamaica from 1839 to this time may well doubt whether it would not have been for the benefit of the colony that the step which we now propose had been taken before. There is no doubt that Jamaica, from its natural advantages, —from its soil, from the splendour of its climate, and its great suitability for all tropical productions, was once by far the most flourishing and valuable of our West Indian possessions. At the time of emancipation it received the larger part of the money voted for that object, and in exports, population, and wealth it was then nearly equal to all our other West Indian possessions taken together. From that period it has afforded a melancholy example of declension and decay. It is now agreed by its own Legislature that the time has arrived for a change in the form of its Government. That Legislature has made a proposal which Parliament is about to sanction, and therefore, with the concurrence of this House and of the Legislature of Jamaica, we are about to institute this experiment. The hon. Gentleman behind me (Mr. Hadfield) has asked me what we are about to do with the ecclesiastical establishments of Jamaica. My answer is that we are now about to establish a form of Government, and that our first duty will be to consider what the institutions of the island are, and to endeavour to bring them into a working form most likely to promote the prosperity of the island. I am sure my hon. Friend will see that nothing would be more premature or ill-advised than to make declarations on the subject to which he has referred. My hon. Friend the Member for Paisley (Mr. Crum-Ewing) has said that the success of this measure will depend on its being temporary or permanent, and in that to a great extent I agree. I have not the least reason to suppose that the House will determine, at the expiration of three years, the period proposed to restore the former Legislature of Jamaica. But in our present state of imperfect information during the pendency of an inquiry, it is much more natural that we should avail ourselves of the elasticity of the power of modifying our proceedings by Orders in Council. At the time this Bill shall expire, the House may have the subject before it more fully and in a more perfect shape. I do not at all anticipate that at the expiration of that time we shall recur to the ancient Constitution of Jamaica. The House will probably continue the present Bill. We think that a form of Government which is preferred in Trinidad, Ceylon, and the Mauritius is most likely to promote the prosperity of Jamaica. I have again to thank the House for the kind manner in which they have received this measure.

MR. STEPHEN CAVE said, that no one could feel more then he did the wisdom of the advice that no allusion should be made at this period to the events which had taken place in Jamaica; and therefore, in the few remarks which he was about to make, he would be careful not to say a single word upon the subject. Of the composition of the Commission there could be no question.

Sir Henry Storks was one of the best men that could be chosen, and each of the other members was, he believed, equally well qualified for a duty which was likely to tax all their ability and resolution. Nothing could be more true than the remark which had fallen from the right hon. Gentleman opposite, and other hon. Members, that the Constitution of Jamaica had been the great barrier to her prosperity. The frequent elections which took place turned away the people from habits of industry to political excitement. Valuable time was wasted in the House of Assembly in undignified squabbles with the Legislative Council, in abortive measures, and in jobs of every kind. The right hon. Baronet had referred to the crisis of 1839. Again in 1849, on a question of the reduction of salaries, the House of Assembly refused to perform its duties, and the effect was that the rum duties were lost to the amount of £50,000. In 1853 the taxes were not collected, and the duties not levied for nearly six months, and by that £177,000 was lost, and a permanent debt of £130,000 was incurred, the matter resulting, as was said, in a handsome profit to some of the members through whom the crisis had come about. The Constitution of 1854 was an attempt to have responsible and representative Government without party. It was entirely unworkable, but no doubt the object aimed at was the right one, because in a case like Jamaica party strife became a conflict of races. Jamaica was rapidly returning into its original wilderness, and, under the circumstances, it was clear that a change was necessary. It was to be hoped that when some time had passed away they would find, instead of the ruin that was impending, returning prosperity, because he felt certain that the form of Government which now prevailed in Trinidad, and which was about to be applied to Jamaica, was the only one fitted to the circumstances of that community.

Mr. LAMONT said, he was intimately acquainted with the West India Islands, and he felt convinced that the Government which existed in Trinidad—consisting of a Governor and a Council of nominated men—was infinitely preferable to that absurd burlesque of the British Constitution which existed in times past, but was now perishing in Jamaica.

Mr. BUXTON said he should not remark on the singular and strange part which the hon. and gallant Member (Colonel

Edwards) opposite took in replying to the letter addressed to him; nor should he reply to his remarks or go into any discussion on the question. He entirely agreed that it would be far better to suspend judgment for a few weeks until the report of the Royal Commission had been received. He only wished to say, in regard to the remarks of the hon. and gallant Gentleman, as applied to himself and those with whom he acted, that they would not cause him or any one else an instant's pain. He confessed, however, that the tremendous and sweeping charges which the hon. and gallant Gentleman had made against the whole negro race of the island, while he (Mr. Buxton) and his friends had been accused day by day of prejudging the case against Governor Eyre, had stung him and all who took a deep interest in the welfare of that race. He firmly believed that the negroes would be proved innocent of any such deep diabolical design as a conspiracy to murder the white population of the island. If the discussion had gone on, he should have been rejoiced to lay before the House what he considered overwhelming proof that no such idea had ever been entertained by the negroes.

Bill read a second time, and *committed* for *To-morrow.*

CATTLE PLAGUE BILL.

[Bills 7, 24, 32.]

COMMITTEE (ON RE-COMMITMENT).

[The Bill having been *Committed, Recommitted,* and *Considered as Amended,* without having been *re-printed,* great difficulty has been experienced in following out the Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to,* with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 32.]

Bill *considered* in Committee (*on re-commitment*).

(In the Committee.)

Clause 25 (Publication of Abstract of Act). Clause B.

Mr. ACLAND opposed the clause as being most dangerous.

Mr. HUNT consented to its omission.

Clause *struck out.*

Clause 26 (Provision as to removal of Beasts brought by Sea), Clause C *agreed to.* [*cl.* 40.]

Clause 27 (As to right to turn out Beasts on Commons). Clause D.

Mr. ACLAND objected to the adoption of this clause. It would give full liberty to persons to move cattle freely across moors and other open places.

Mr. MITFORD said, that if the clause was not adopted the result would ruin some hundred small farmers in his district. These persons sent their cattle to graze on commons, and if the clause were rejected they would be ruined.

Mr. HUNT said, that he had not introduced the clause, nor did he give it his approval.

Question put, "That the clause stand part of the Bill."

The Committee *divided:* — Ayes 15; Noes 144: Majority 129.

Clause *struck out.*

Clause 28 (Diseased Beasts not to be turned out on Commons). Clause E.

Sir ANDREW AGNEW proposed to add at the end of the clause the following words:—

> "Any person wilfully driving, or allowing any cattle under his charge to be driven, or to stray into any field sufficiently fenced without the consent of the owner or occupier thereof, shall, on conviction before two justices of the peace, be liable to a penalty not exceeding £20, or to be imprisoned for any term not exceeding thirty days, and the cattle may be slaughtered by order of the said justices if they so think fit."

Mr. BARING trusted that his hon. Friend would withdraw the addition, and allow it to come up on the Report.

Mr. HUNT hoped they would have no clauses proposed on the Report, and entreated the Committee to dispose that evening of all the matters in dispute, in order that when they came to the Report there might be nothing left to be done but to make such verbal alterations as would render the language of the Bill clear.

Mr. BARING said, he felt bound to oppose the insertion of the proposed words unless they were brought forward for discussion upon the Report. Penalties like that of thirty days' hard labour could not be imposed upon persons without due consideration.

Sir ANDREW AGNEW said, he would consent to withdraw his Amendment for the present, and bring it up again on the Report. It was very essential that the malpractices of drovers should be prevented by proper punishment.

Mr. HUNT explained that when he expressed the hope that there would be no new clauses on the Report, he did not mean to refer to the Amendments desired by the Scotch Members, who, he understood, had met that day and agreed as to what was necessary to make the Bill applicable to Scotland.

The LORD ADVOCATE said, he hoped to have the clauses applicable to Scotland ready for delivery that night.

Mr. BARING said, a number of Amendments and new clauses had been put upon the paper only that morning, to which he had not been able to give more than a casual and imperfect consideration. He must, therefore, distinctly reserve, on behalf of his right hon. Friend the Home Secretary, his right to raise any question on the Report.

Mr. HUNT must say he trusted that the way in which they had received at the hands of his hon. Friend, during the passage of the Government Bill through Committee, several clauses which were in manuscript only would form some sort of precedent for the spirit in which his own clauses would be received by the Committee.

Mr. WALDEGRAVE-LESLIE thought that the Amendment proposed by the hon. Baronet (Sir Andrew Agnew) was very important. There was a case within his own knowledge where a drover had bought some cattle which proved to be diseased, and turned these beasts into a field on a farm without the occupier's permission. The consequence was, that the cattle on the farm had become infected, and the farmer had suffered a severe loss. Such acts required to be stopped by severe punishments.

Sir JAMES FERGUSSON also argued that a penalty of a much more stringent character than a fine of £5 was absolutely necessary to protect stock-owners against such serious crimes.

Mr. HUNT suggested, that the object in view might be attained by adding to the end of the 28th clause words to the effect that any person wilfully driving or allowing any beast under his charge to be driven or to stray into any field that was sufficiently fenced, without the consent of the owner, should be deemed to have moved such beast in contravention of the Act. In that way the offender would be brought under the general penalties of the Bill.

Amendment *withdrawn;* the words *added*, as moved by Mr. Hunt; and clause, as amended, *agreed to.* [*cl.* 41.]

Clause 29 (Defining Counties to which certain parishes belong). Clause F.

Clause, as amended, *agreed to.*

Clause 30 (Appointment of general Cattle Inspectors).

Mr. BARING objected to the clause in its present form.

Clause *postponed.*

Clause 31 (Inspection of Cattle Sheds). Clause H.

Mr. AYRTON drew attention to the fact that the clause made no provision for the payment of the inspectors to be appointed under it.

Mr. M'LAREN said the clause was very important. Of 1,100 cows in the city of Edinburgh 600 had died of the cattle plague, which had spread with amazing rapidity in consequence of the imperfect accommodation provided in that city. He hoped that the power given by this clause to the magistrates to remedy the state of things to which he had referred would not be taken away. There was no difficulty whatever in reference to the payment of the inspectors, as the officers at present in the employ of the magistrates would be able to fulfil the duties imposed by the clause, or in case of any difficulty the magistrates themselves might act as inspectors.

Mr. CUMMING-BRUCE hoped the clause would be allowed to remain in the Bill.

Mr. WALDEGRAVE-LESLIE regarded the clause as the most valuable part of the whole Bill. He hoped that in future sanatory regulations with respect to cattle would be more strictly enforced.

Mr. AYRTON said, he had merely wished to point out the fact that the clause did not state how the inspectors were to be remunerated. He might also remark that in many towns there were no persons who answered to the description of magistrates of boroughs, except the police magistrates, within whose functions the appointment of cattle inspectors could scarcely be intended to come.

The LORD ADVOCATE thought no difficulty would arise as to the payment of the inspectors to be appointed under this clause. In his opinion the scope of the clause might be extended with advantage; for if cow-sheds and large dairies were prohibited in large towns it would be a good step.

Mr. LEEMAN suggested that the local authorities, for the purposes of this clause, should be deemed to be the local Boards of Health or the town councils in place of the magistrates of boroughs, and that such local authorities should have the power to pay the expenses to be incurred under this clause out of the borough rate.

Sir GEORGE GREY thought it a pity to waste time in discussing a clause of this character when the Bill was only to be in force until the 24th of March. If the existing large dairies in towns were to be done away with during the suspension of the cattle traffic, what was to become of the cows? The subject might be worth consideration with the view to permanent legislation, but it should not be dealt with in a temporary Bill like that now before the House.

Clause *agreed to.* [*cl.* 45.]

Clauses 32 and 33 *struck out.*

Clause 3 (Interpretation).

On the Motion of Mr. Hunt, the first paragraph of the clause defining the term "beast," was *struck out.*

Further Amendments made.

Clause, as amended, *agreed to.*

Clause 30 (Appointment of general Cattle Inspectors) amended, and *agreed to.* [*cl.* 44.]

Mr. HUNT said, the discussion of the clause he was now about to move would probably occupy more time than any other clause which had been taken into consideration during the evening. This clause related to imported beasts; and the principle upon which it was based was that imported beasts should, if possible, be slaughtered at the place of landing, or, if that were wholly impossible from the circumstances of any port, that they should be taken to the nearest slaughterhouse, there to be slaughtered, or to lairs adjacent, where they should remain until they were slaughtered; and that under no circumstances whatever should they be taken to any market or fair. That was the principle on which he had endeavoured to frame the clause. He had originally proposed that there should be a power of moving cattle to a distance "not exceeding 500 yards" from the port. At that time, however, he was unable to say whether that would be a sufficient distance in the case of all the ports; but he had since taken care to ascertain the circumstances of every port in reference to this matter. As far as he knew, the clause he had put on the paper must be amended in certain respects in order to suit the convenience of some of those ports, though at the same time it was not his intention to infringe the principle which he had laid down in preparing the clause. The alterations he had to propose would give certain relaxations with regard to several ports, but except in the case of two of them the distance would not be extended beyond a mile. The clause he should propose was in these terms—

> "Any live beast landed from a vessel at any port, if sound, may, notwithstanding anything in this Act, be moved on a highway to a slaughterhouse, or to any lair, yard, or building adjacent to a slaughterhouse near the place of landing for slaughter; but this enactment shall not authorize the moving of any beast on a highway in any case beyond the district of the local authority within whose district is the port of landing, or, for a greater distance than one mile even within those limits."

He believed those words would satisfy the requirements of all the seaport towns, with two exceptions, Leith and Bristol. Leith was rather more than three miles from the slaughterhouses at Edinburgh; but the whole of the road along which cattle would go to it from the port of Leith was wholly separated either by wharf warehouses or market gardens from any places where beasts were kept. That, therefore, was an exceptional case. Then came the case of the port of Bristol. Now, there was no licensed slaughterhouse, nor any yard or lair, adjacent to that port, within the jurisdiction of the mayor and corporation of Bristol. The place of landing was about two miles and a half from the licensed slaughterhouses of that city. He was informed that all these slaughterhouses lay very near together, and that there were yards adjoining them in which animals could be kept until they were slaughtered. The route to the slaughterhouse was through quays and streets, and he believed there was no beast known to be kept in any place abutting upon the road along which the animals would have to pass. It seemed to him that the port of Bristol might fairly be made an exception to the general rule. He would not deal with the case of Liverpool, as his hon. Friend the Member for Liverpool (Mr. Graves) would bring forward the case of that port. He would be prepared to deal with that case when it arose, and he should advocate adherence to the general principle he had laid down. He came now, however, to the much-vexed question as to the port of London, and he must repeat what he had said the other day, that he did not intend, if he could help it, to make an exception in the case of London. The London market was the central market for the supply of meat to all parts of the country. At the present time — and the regulation would continue till the 24th of March—no beast within the meaning of the Act would be able to enter the London market except the few beasts which were kept within a six-mile radius of that market—and there were, in fact, none, or next to none, within that radius. He confessed this was a strong proposition; but he hoped the Committee would think the circumstances of the case warranted it. They had stopped the use of all cattle-trucks until they had been cleansed, and they had stopped the transit of cattle by railway —and this they had done, in order to insure against spreading the infection. Now the London market was the centre and focus of infection. Indeed, those who had inquired into the matter were thoroughly satisfied that the disease was carried into the provinces from the Metropolitan Market, though the provinces had returned the favour by sending it back again to the London market until the passing of the Act which had just received the Royal Assent. The consequence had been that nearly all the lairs in the immediate neighbourhood of the London market were infected. The metropolitan Members might be sceptical as to his theories on infection, but they were based upon the opinions and observations of those who had studied the subject. Now, it was a generally admitted fact that the chance of infection was nowhere greater than when the animals were placed upon infected ground. If, however, no new animals were put into such lairs, and no fresh moisture admitted, the place became more or less desiccated and disinfected. If that were so, he had made out a strong case for the disuse for a time of the Metropolitan Market and the lairs connected with it. He would now proceed to another point, and here he confessed he felt strongly the necessity of what he should propose. By the Bill which had just received the Royal Assent, no British beast could enter the Metropolitan Market, unless uninfected and from within a six-mile radius. The plague had carried off all the beasts within that radius except milch cows, and they were very few; and he was told that nearly the whole of the lairs in the market and in its neighbourhood were infected, and therefore that cattle put into those lairs would run the highest possible amount of risk. But were they to admit foreign beasts into the London market when British beasts were excluded? If it could be shown that there was a necessity for doing so, his case was gone. He did not wish to give the British dealer a single advantage over the foreign dealer, but he was bound to protect the former against the latter. Unless his Bill were carried in its entirety, the foreign beasts would gain such an enormous advantage, that the foreign dealer would really have a monopoly of the market. He had no fear of the London market not being supplied with dead meat, and he would, moreover, encourage the bringing of dead meat from abroad. He would further encourage the importation of live beasts from abroad and from Ireland; but he would have them slaughtered at the port at which they were landed, allowing them to travel such a distance as might be consistent with safety, and giving them no advantage over English beasts which could be avoided. If it were necessary that beasts should be slaughtered at the Metropolitan Market, there was an end of his case, and he admitted the seriousness of the proposition he was making. Within the last few days he had made a personal examination of the neighbourhood of the wharves where imported cattle were landed. The port of London had four wharves specially applied to that purpose. Dublin-wharf, near the Tower, was the highest up the river, and was a very small one. Newcastle-wharf was a small one and little business was done at it. The wharf at which most cattle were landed was Brown's-wharf, Poplar, and then there was the Brunswick-wharf at Blackwall. Upon the quay of the last-named wharf, there was what seemed to him to be a very large building in which cattle not passed by the inspectors were slaughtered. The evidence taken by the Commission showed that the meshes of the inspectors' nets were very wide, and that many infected animals slipped through them, as, owing to the pressure of business, it was impossible that complete examination could be made in the allotted time. Many infected animals, therefore, got into the London market. He saw one at Brunswick-wharf that was being dressed, and it was so decidedly unhealthy that it could not have been passed as a sound one even by one of the metropolitan Members, who were better judges of men than they were of beasts. The building, however, was large enough to give great accommodation for slaughtering beasts. At Brown's-wharf he was informed there was considerable accommodation for the slaughter of beasts. A few days ago he received a communication from a gentleman named Odams, representing that he was manager of, and principal shareholder in, a company called the Wharfing and Warehousing Company, which had extensive premises immediately contiguous to the Victoria Docks. Mr. Odams let him have a plan of the premises, which were built for the petroleum trade, and if the Committee would allow him he would exhibit it just as the Chancellor of the Exchequer had once shown the House certain articles manufactured out of a new material. [The hon. Gentleman here held up the plan to the view of the Committee.] The wharf where those premises were was from 500 to 800 yards below the place where most beasts were now landed. There were sixteen sheds now on the premises, ten of them 150 feet long by 30 wide, and six the same length by 60 feet wide. Three of those larger sheds were open at one side, and were exceedingly well ventilated, the roof being to some extent open in order to allow the fumes of the petroleum to escape. These three sheds were admirably adapted for the reception of the animals, and for judging them before they were slaughtered. There were on the other side three more sheds 150 feet long by 60 wide, which would be available for dead meat to hang by the carcass or joint until sent away. He would no doubt be asked, were they high enough for the purpose? Experience was the best test. He had the height of the beam in Brunswick-wharf, from which he saw the ox suspended measured, and the carcass did not touch the ground. He had himself measured the buildings which he now recommended as a fit place for slaughter-houses, and found that the same height could be obtained there. He would admit that at the present moment there were no beams fixed, but there were piers strengthening the brick-work at every ten feet, and from each pier beams could be placed. The beams which he saw used at Brunswick-wharf were movable, and similar ones might be obtained from any timber merchant's yard at thirty-six hours' notice. So much for the capabilities of the place inside; but how about getting the beasts there? That, he admitted, was the weak part of the case. The landing-place had been constructed only for the reception of barrels and casks, and in its present state beasts could not be safely landed there. But Mr. Odams said that if the place were used for slaughtering animals during the month of March, and if he was properly remunerated, he would be prepared at the end of a week to have stages up so that beasts could be landed there. Whether that could be done or not he would not say, for he was no judge; but he believed Mr. Odams would undertake that they could. It might be said now, "Oh! here is the Member for Northamptonshire got hold of by a man who wants to turn his premises to account." But he told Mr. Odams that he must be excused if he took his statement with reserve, and should wish to have it confirmed by some person in the trade. Mr. Odams said that was perfectly reasonable, and he should be furnished with the confirmation he desired. Accordingly, he had received a letter from Mr. Odams giving the authority of Mr. Baker for what he had said. He did not himself know Mr. Baker, but he was informed by one of the largest West End butchers that Mr. Baker was one of the most extensive slaughtermen and Government contractors that we had. In that letter Mr. Odams said that Mr. Baker, after comparing these premises with his own at Deptford, where his beasts were slaughtered, was of opinion that there was ample room on the premises for all the foreign cattle that would come into London up to July, and that there would be quite sufficient time to provide for the summer requirements. Now, the next question was, supposing those premises to be put to the use he proposed, would there be conveniences for getting away the meat? The time occupied in travelling by water from the premises in question to Woolwich Arsenal was only ten minutes; and this was a great point in connection with the supply of the victualling yards there. A more important point was the conveyance of meat to other parts of the country. There was abutting upon the premises, or within three or four yards of them, a line called the Old North Woolwich line, now in the hands of the Great Eastern Railway Company, and up to it were tramways, though of a different gauge, laid for the conveyance of goods. The London dead-meat market was not in direct communication with the premises, and at present dead meat could not be conveyed thence by rail to any point nearer than a mile of Newgate Market; but if permanent foreign cattle markets were contemplated, a line could be constructed through the sheds he had mentioned from the Old North Woolwich line, and that this could be extended in the other direction so as to reach the dead-meat market. Some weeks ago the Secretary for the Home Department was kind enough to say to him, "Granting you can supply London with dead meat, it does not follow that you can provide for the great inland towns." His plan, however, would show that those great towns could receive meat directly from Mr. Odam's premises, for the North Woolwich line communicated with the Great Northern, the Midland, the North-Western, and the Great Western Railways. It was possible that hon. Members representing metropolitan constituencies might say, "You have got a Member of Parliament to exercise his very poor judgment on the matter, and you have a greatly interested owner of premises, and a Government contractor, who would like to have the meat near the Deptford victualling yard which he supplies." If, however, he were to advance nothing further in support of his case, he confessed that it might be open to that objection; but he was going to cite the admission of two hostile witnesses who came to combat the scheme proposed. Their names were very well known through their having given evidence before the Cattle Plague Commissioners. Messrs. Hönck and Hicks were two of the largest consignees of foreign cattle in London, and they therefore might be considered to represent the trade. They stated that great inconvenience would be entailed by slaughtering all the cattle at the port. He produced to them his scheme, and asked if they were acquainted with Mr. Odam's premises. They replied, "Oh, yes, we know them well; but we hope we shall not be driven to slaughter the cattle there." He then asked, "Do you mean to say there is no accommodation for slaughtering there?" They said, "Oh, yes; if it comes to that, there is accommodation." These were statements from persons whe would do all in their power to prevent the adoption of the scheme he had laid before the Committee. He then asked what was their objection, and they replied, "It will put us to great inconvenience if we have to remove the dead meat from these premises to the market in London." He said, "Why so? You can go by railway within a mile of the market." "Yes," they said, "but the customers who have usually attended in the London market will not be so ready to meet us at the place you have named, and, in consequence, the price of our meat will be depreciated." He then asked what would be the effect upon the trade of the Amendment carried the other day with regard to the prohibition of the movement of cattle by rail; but they did not give him an answer. He, however, learnt by the expression of their countenances that that Amendment would be very advantageous to them if they should succeed in getting foreign cattle to the port of London. It was perfectly obvious that if they secured the exclusive use of the market of London the value of their property would be very much enhanced. He told them he thought they had no right to complain. He (Mr. Hunt) said it would be an enormous advantage to the public if these premises and the land around could be secured as a permanent foreign cattle market. He believed that the greater part of the disease that affected our herds was derived through the medium of foreign cattle, and was of opinion that foreign fat cattle ought never to leave the port of London alive, and that all foreign store cattle in the port of London ought to be inspected and quarantined. If that was desirable he could not conceive any place better adapted to such purposes than the premises he had named. The land comprised an area of twenty-five acres. A great part of it was swampy and wanted filling up with ballast to make a standing place for beasts, but with some outlay of money he could not conceive that any place could be more adapted for the purpose. It was bounded on the south by the river, on the west by the Victoria Docks, on the east by a watercourse running through Plaistow Marshes, and on the north by the Old North Woolwich line. It was completely isolated, therefore, from all places where cattle not intended for immediate slaughter were kept by farmers or others. There was room there for slaughtering the animals, for dressing the meat and hanging it up till removal, for preparing the hides, hoofs, and horns; and there were facilities for carrying away the meat and those portions of the beasts which were not used as human food. This sounded like a magnificent scheme; and hon. Members might, perhaps, say that Mr. Odams had got hold of him, and that he had shown himself very ready to listen to that gentleman's recommendation of the premises; but he could assure them that Mr. Odams was a perfect stranger to him. He knew nothing about him or his company; but certainly it did appear to him that the proposal was one worthy of consideration. He asked Mr. Odams whether he had communicated with the Government, and he replied that he had done so. He said that as long ago as October he had communicated with the right hon. Baronet the Secretary for the Home Department, and that, lately, he had communicated with the Under Secretary of State; adding that his letters had been acknowledged, but that no further notice had been taken of the matter. He had no doubt the Government had caused inquiries to be made, and the premises to be inspected by trustworthy persons; and if they had done so, what they would lay before the Committee would be a great guide in the matter. He must apologize to the Committee for having trespassed so long upon their attention; but the matter was an important and difficult one, and he was anxious to point out a way of getting out of the difficulty. If they were able to prevent foreign cattle landing in London from obtaining an advantage over their own, and keeping up the infection, a great step would be gained. He had put this information before the Committee, and he hoped they would support him in the views he had stated.

Moved, in place of former Clause 15 to insert,

"Any live beast landed from a vessel at any port, if sound, may, notwithstanding anything in this Act, be moved on a highway to a slaughterhouse, or a lair or building adjoining thereto, for slaughter; but this enactment shall not authorize the moving of a beast on a highway in any case for a greater distance than one mile, or beyond the limits of the district of the local authority within whose district is the port of landing, save that beasts landed at the port of Leith may be moved by the direct route thence to the public slaughterhouse in Edinburgh for immediate slaughter."—(*Mr. Hunt.*)

Clause *brought up*, and read the first and second time.

On Question, "That the clause be added to the Bill,"

Mr. AYRTON said, that the hon. Member for Northamptonshire (Mr. Hunt), as well as one or two friends who were supporting him, appeared to be very jealous of any one knowing anything about the cattle plague. He (Mr. Ayrton) never had pretended to any special knowledge of the subject. He had intervened once or twice on the general principles of legislation, and he thought that on each occasion of his intervention the hon. Member admitted he was wrong, or else made a correction exactly in the sense he had suggested. He was going to intervene now because the hon. Member was not only dealing with the cattle plague in the country, but was plaguing them with the cattle disease in town. The elaborate speech just delivered by the hon. Member went to show that he felt the question to be a difficult one, and that he entertained very great doubt of what he was doing. [Mr. HUNT: No!] Well, the hon. Gentleman ought to entertain very great doubt of it. He would now call the attention of the Committee to the present position of the question, both as regarded London and other large towns. The fundamental error with which the hon. Gentleman began and ended was the supposition that the foreigner would get a great advantage if this protective clause were not carried. According to the present law cattle imported into any port could not be moved except by sea from the port into which they had been brought; but, practically, there was a very large area of England into which foreign cattle could be imported. London was not the only town of cattle import. The inland towns would derive a benefit from the regulation preventing imported cattle from being conveyed inland, because they would not have the competition of cattle coming in by sea. It was clear that there was no possibility of contaminating cattle in the country by those brought into seaport towns; and, therefore, the former were sufficiently protected. But the hon. Gentleman objected to imported cattle being moved to a distance of six miles for slaughter. He would, however, remind him that, by one of the exceptions already objected, home cattle could be carried about the country to a distance of six miles for the purpose of slaughter; there was no objection to bringing an animal a distance of six miles for breeding purposes; and calves could be moved twenty miles from the cow. This being so, the first thing which would occur to one was, that imported cattle might be moved to a distance of six miles for slaughter; but this was what the hon. Member for Northampton objected to. The hon. Gentleman wanted to have a quarantine of twenty-five days established in the Metropolitan Cattle Market. He presumed the hon. Member and his friends regarded that market as an Augean stable, which it would take twenty-five days to clean. Nothing could be more ridiculous. Such was the condition in which the Metropolitan Cattle Market was kept, that he believed it to be one of the cleanest places to be found in the metropolis. ["Hear!"] The hon. Gentleman who cried "hear!" must not know that market. The first question to be considered was this—what was the nature of the London cattle trade? The sales in the Metropolitan Cattle Market amounted to something like 7,000 or 8,000 head of cattle, and yet the metropolis was suffering from a scarcity in the meat supply. He believed that the metropolis and other large towns had a right to expect freedom in the importation of cattle brought by sea for the purpose of affording some alleviation of the embarrassments to which the prohibition of the movement of cattle in the interior of the country would necessarily give rise, and the importation by sea, large as it was at the present moment, must inevitably increase as soon as the inland supplies fall off, or were altogether withdrawn. A trade of such magnitude necessitated preparations upon a corresponding scale. Landing-places, markets, slaughterhouse — all should be proportioned to the extent of the traffic; and it was not to be supposed that an established industry like that of the meat supply to London was all in one day to be overturned and re-created. The hon. Member said he had only seen four places where cattle were actually imported into the metropolis; but some strange confusion appeared to exist in his mind between the metropolis and the port of London. The port of London began at Gravesend, and ended at Staines; and the arrangements for the supply of cattle throughout that district would, of necessity, be somewhat complicated. But confining their attention to the metropolis, the hon. Member it seemed had got a project which enabled him utterly to disregard and supersede the course of the trade for years past. The hon. Member had met some old man or old woman who had given him a plan and project. The hon. Member, in his capacity of projector, became therefore one of those dangerous and often deceptive persons against whom it was necessary to be upon one's guard. He had occupied three quarters of an hour in going through the details of his project, just as any projector would do in a Committee-room upstairs, endeavouring to persuade hon. Members that he had got a good project which would benefit everybody but the inventor himself. Unfortunately, the hon. Member wished to back up his project with what amounted to compulsory legislation, imposing however a severe tax and great inconvenience upon a large branch of industry for the benefit of this Mr. Odham. What guarantee was there that, if everybody were compelled to go to his place, he would give it to the metropolis at a reasonable price? The hon. Member for Northamptonshire was not authorized to negotiate on his behalf. [Mr. Hunt: You have got power under the Act to take lands.] The hon. Member, if he entered into that question, would get into great difficulties. Mr. Odham's land, moreover, lay not in the metropolis, but in Essex. Of course, everybody between Gravesend and London could point to a great many acres of land and say, "These are at the disposal of the metropolis, to carry on all the industry which is now carried on in London." But before the House could legislate upon the subject, possession of the land must first be acquired, and an Act passed regulating the tolls. It must be seen, moreover, that everybody obtained the same right of use and access upon proper and recognized conditions. The hon. Member put nothing in effect more than a sheet of paper before the House, and were they to proceed upon the mere scheme of a projector, anxious to turn his land to account? He had land which he could not use, petroleum casks without any oil in them; and he said to the hon. Member for Northamptonshire, "Bring my sheds and my petroleum casks before the House and I will undertake to supply all the wants of the metropolis." Even in connection with the Cattle Plague Bill, this was hardly a proposition that ought to have been brought before the House. Into the conversations held with Messrs. Hönks and Hicks he would not enter. Many conversations had been preserved, both of the living and the dead, but conversations more uninteresting than those held by the hon. Member he had never heard. He should be sorry if the task of annotation fell to his lot, for certainly they were anything but instructive. All those Gentlemen, of course, held particular opinions and views; but he was not there to deal with private theories. What he looked at was the general benefit and the interests of great and established branches of industry. The hon. Member would not let cattle be driven six miles through the metropolis; but he would let them be driven six miles to a slaughterhouse in the country, though the danger there was infinitely greater. What could possibly be infected in London except the cowhouses? and these were screened from the thoroughfares through which the animals should pass. [Mr. Hunt: We in the country are not allowed to drive cattle to market.] Yes; but to the slaughterhouse it was perfectly legitimate to drive them along narrow lanes separated only by a hedge from other animals grazing in the field. To conduct the meat trade of the metropolis, it was absolutely necessary that the beasts imported should be brought to market. It was idle to suppose that all the butchers of the metropolis would go down to the water-side and wait for animals to be landed there, buy them, have them slaughtered on the spot, and then wait the arrival and debarkation of fresh ones. Business could never be conducted on such principles as that. The cattle must be regularly brought to a place where buyers could see them, and where buyers could assemble; and in close proximity to which were regularly licensed slaughterhouses. A single animal sufficing for the consumption of a village might be slaughtered almost anywhere, but it was different with a great meat trade like that of London. Arrangements could never be made in the way suggested for slaughtering thousands of cattle from week to week, and he was prepared to go the length of saying not only that cattle imported should have free access to market, but that they should remain free within the limits of the metropolis. How else were the dairies to be restocked? This was a very serious question, for the price of milk already had gone up 25 per cent, and persons ought to be encouraged to restock their dairies at the earliest moment. The reproductive power of the 16,000 dairy cows in London in a short time would replace all the cattle destroyed by the plague. Was it to be laid down broadly that in the metropolis there was no longer to be any breeding of cattle? In the manufacture of beer millions of quarters of malt were consumed in London. After the manufacture of the beer there was, of course, a great quantity of grains, which was excellent cattle food, and the result was that cows could be maintained cheaper in London than in any other part of the kingdom. If the proposed clause was adopted, the people of London should look to Northamptonshire for milk, and everybody knew what wretched stuff Northamptonshire milk was. The London milk dealers complained that the Northamptonshire farmers watered the milk before they sent it to London, thus depriving the dealers of their just rights and privileges. The milk from the London cows was, on the contrary, very good, because cows in London dairies were well fed and well cared for. He could see no reason whatever that could justify the House in ruining the London dairy proprietors for the benefit of the Northamptonshire farmers. He strongly objected to the representatives of inland counties endeavouring to introduce into the Bill clauses calculated to serve their own constituencies and to injure the cattle trade of large seaport towns. If the clause now before the House was adopted, its effect would be of most serious inconvenience to all the inhabitants, and positive ruin to many of those engaged in the London cattle trade.

MR. PACKE said, that it was true that the passing of the clause might injure some private interests, but they were not there to consider private interests, but were there to see what they could do to check the progress of the cattle plague. They all knew that the disease had been first imported into this country from abroad, and there was no better way of checking the spread of the disease than the adoption of the clause now before them, which would effectually prevent diseased cattle coming into the country from abroad. It was impossible by the adoption of any precaution to discover whether animals coming from abroad were sound or not. He had known cases in which the very best judges of cattle bought animals as sound which afterwards turned out to have been suffering from the plague at the time of their purchase into the country. Whether that interfered with the trade or not they knew very well that the safety of our whole herds depended upon it, and the farmers and graziers of the country were perfectly alive to that, and would do anything to prevent the importation of the disease into the country. Unless they did something to check the passage of the disease through the country they would do very little good at all.

MR. CRAWFORD said, that the hon. Member who had just addressed the House spoke of the opponents of the clause as persons who supported private interests. He did not see how the interests of the three million of people who inhabited the metropolis could be called private interests. The hon. Member for Northamptonshire (Mr. Hunt) prudently made Bristol one of the proposed exceptions to the working of the clause. He did this because he knew that there was a great cattle trade between Ireland and Bristol, and he hoped that by excepting Bristol from the working of the clause he would obtain the support of the Irish Members. Now he (Mr. Crawford) told the Irish Members that, if the clause was adopted, it would entirely destroy any trade in cattle now existing between Ireland and London. He feared, from the arguments on which the hon. Member for Northamptonshire based his views with reference to the importation of foreign cattle, that that gentleman was returning to the doctrine of protection. It was well known that the Jews, many of whom lived in the east of London, could not eat the flesh of animals unless it were dressed in accordance with their customs. He apprehended it would not be possible to set up an establishment in the proposed slaughtering place to suit them ; but if this were not done, and the clause were carried, he thought it would be little less than tyranny. He trusted the Committee would deal with the matter in a liberal spirit, and not permit the importation of meat to be restricted in such a way as to deal harshly with any one class.

MR. BANKS STANHOPE feared the last speaker had totally misapprehended the motive of those whom he opposed. They had no desire to stop the importation of live cattle to London. On the contrary, they wished to have as much foreign meat as possible, provided it could be brought without fear of infecting the cattle of this country afresh. The hon. Members for the metropolis seemed to consider the interests of the metropolis the major point, and the stoppage of the cattle plague the minor point. But that House had to consider, not whether or not they should stop the importation of foreign cattle, but what means they could devise to prevent the propagation of the disease. With respect to the first point, he believed they were agreed that the nearer the meat was brought to the consumer the easier the offal could be conveyed away, and the nearer a place for the disposal of the hides was to the market the better. The site in the neighbourhood of the Victoria Docks answered all these requirements most admirably. Near the large tract of land spoken of—and it was of little value—

they had the Blackwall Railway and the North London Railway; and by these the meat could be taken to Newgate or Whitechapel with remarkable ease. He had been told that two-thirds of the meat imported to London was consumed by the people living in the East End; and yet some hon. Gentlemen proposed to send the cattle six miles from the landing place, and, having there slaughtered the beasts, to carry the carcases back to Whitechapel. It would not do to dispose of the question by saying it was only for three weeks. As long as the rinderpest lasted the restrictions proposed would have to be continued, and it was a delusion to think the rinderpest would end in three weeks. Then with regard to the disposal of the offal. Within 400 yards of the Victoria Docks' site was a large manure factory which used up the blood and offal of 2,500 animals weekly. How much better would it be to remove the offal to this factory than to carry it through the heart of London to Bermondsey from Islington or the many little slaughterhouses in the City! He was told that the hides went to Bermondsey. If they took the foreign beasts to Copenhagen Fields, what was to become of the hides? Why, carts must be got to take them to Bermondsey, whereas if the cattle were slaughtered on the banks of the Thames the hides might be placed on barges and taken to Bermondsey close to the manufactories. He submitted he had proved his case. He thought he had never heard two gentlemen endeavour to do more mischief to their constituents than the two metropolitan Members who had addressed the House to-night. In spite of all the care of the inspectors, some diseased animals might slip through. They would, at all events, come over now and then with infected animals, and would carry with them the germs of the disease. Then what would become of the calves of these cows? They were to be sent into the country to be taken care of, and there was great danger that they would propagate the disease. The sheep, too, were to go back to the country again. There were instances of sheep carrying the infection; they were to go into the same market with the cattle; and there was cause for apprehension that the sheep would take the infection into the country with them. His hon. Friend and those who supported him did not wish to do anything either directly or indirectly to prejudice the admission of live cattle into the port of London, or to hinder the best and largest supply of meat for the metropolis.

Mr. GRAVES said, he had an Amendment to propose by way of rider to the clause.

The CHAIRMAN said, it would not be competent for the hon. Member to propose it at the present stage.

Mr. GRAVES said, he would postpone the Amendment until the proper moment. He wished, however, to explain that the port with which he was connected was peculiarly situated. The cattle market of Liverpool was in the jurisdiction of the county magistrates, being about 1,000 yards from the boundaries of the borough. The way from the point of landing was more a street than a highway, being lined with houses almost continuously. From the market, within the jurisdiction of the county magistrates, the cattle were brought back again within the jurisdiction of the local authorities, and were there slaughtered. That there was no danger from the free use of the cattle market might be inferred from the fact that the county magistrates, on the 29th of January, passed a resolution, permitting cattle to come within their jurisdiction to be sold, and returned to town for slaughter. He knew how difficult it was to make out a case for exception, but he based his appeal to the Committee upon the peculiar position of the trade, which would inevitably centre in Liverpool as soon as the present Bill passed. Liverpool must become the centre of supply of dead meat for the large manufacturing towns of Lancashire and the depôt of the meat-producing districts of the north of England and Ireland. On these grounds he trusted that the Committee would not object to add a third exception to the two already admitted in the Bill.

Mr. BARING pointed out that the great difficulties attending the clause were demonstrated by the fact that it had been four times modified, and that the hon. Mover had intimated a probability that coming telegrams might show the necessity of still farther alterations. He acquitted the hon. Gentleman opposite who raised this question of any intention to raise the question of protection. He did not believe that any man would divide the interest of England and Ireland in this matter, and the effect of the clause was to throw the same obstructions in the way of the cattle trade with Ireland and foreign countries. Looking at the clause, he should say that it was both unnecessary and impracticable. The pith of it was, that all beasts imported should go no further than one mile from the place of landing, and at the end of that mile they must be slaughtered. Now, in the Bill passed the other day on that subject it was enacted that all cattle brought by sea to any town or place should not be allowed to leave such town or place alive. Where, then, was the necessity for the present clause? Why, it rather weakened the effect of the clause which was already law, because it would cease to operate, together with the whole of the hon. Gentleman's Bill, on the 25th of March, whereas the Government measure would continue in operation till the 15th of April next. It was said that certain conveniences for the disposal of cattle would be erected below Blackwall, and that was the only suggestion which the hon. Member had to offer to explain how the cattle landed at the port of London could be killed within a mile of the spot of landing. The carrying out of the clause would be impracticable in the port of London, and intelligence might soon reach them that it would be equally impracticable in twenty or thirty other ports in the kingdom. Why should not beasts be allowed to be taken through the streets—of London, for instance—or Liverpool? Let them act in that matter like sensible men, dealing with infected places strictly, but not imposing vexatious or harassing restrictions without sufficient cause. The hon. Member wished to have Islington market thoroughly cleansed; but, if the clause passed, it would by no means secure that object, for the market would be still open for sheep and pigs. No animal could now leave the metropolis alive, and therefore it was impossible the plague could be spread by means of that market. The supply of beasts to this great metropolis was already affected to a serious extent by the stoppage of cattle transit by rail, and he was sure the Committee would, after all, feel that it was a question of some importance how more than 3,000,000 people were to be fed.

MR. AYRTON said, he would not object to the second reading of the clause, but meant immediately afterwards to move an Amendment in it. If they did not pass the clause, there could be no movement of cattle at all in the streets of London. ["No!"] He maintained that, having already passed one Bill allowing such movement, if they now passed another Bill saying there was to be no such movement they would thereby repeal the provisions in the previous Act. It was necessary, therefore, now to pass some clause making exceptions to the general enactment; and, the hon. Member's clause being one of a sweeping character, he would propose an Amendment to modify it.

Motion *agreed to.*

Clause read a second time.

Amendment proposed, to leave out from the word "highway," in line 3, to the word "that," in line 12, in order to insert the words—

"Within the limits of the metropolis or any borough, as defined by 'The Cattle Diseases Prevention Act, 1866,' subject to the provisions of Clause 17 of that Act, and"—(*Mr. Ayrton,*)—instead thereof.

MR. DALGLISH wished the port of Glasgow to be excepted.

MR. AYRTON said, that Glasgow would be dealt with as favourably by his proposal as any other large town.

MR. NEWDEGATE asked, whether the hon. and learned Member for the Tower Hamlets meant, in speaking of the limits of the metropolis, to take in a radius of twelve miles from the General Post Office?

MR. AYRTON replied that he meant the jurisdiction of the Metropolitan Board of Works, not the jurisdiction of the Metropolitan Police.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 102; Noes 156: Majority 54.

On Motion of Mr. GRAVES, Proviso—

"Provided also, that nothing herein contained shall interfere with the moving of sound beasts from the Docks of Liverpool to the Stanley Market and to the lairs on the road to the same, and back from the market to the borough for immediate slaughter, all such beasts being moved with a licence from the local authority,"

added to the clause.

MR. NEWDEGATE said, we should be in constant danger of having the plague renewed throughout the country, even though we should be so fortunate as to get rid of it for the present, unless some means were taken to prevent the intermixture in the markets adjoining the various ports of the cattle driven to them for sale with those imported from abroad. The danger of such intermixture was especially great now, owing to the ramifications of Continental railways extending in those districts in which the disease seemed regularly established. He wished, under these circumstances, to learn from the Government whether their attention would be directed to the subject with the view of introducing some permanent measure, which might contain provisions calculated to prevent this danger.

Sir GEORGE GREY said, that the law gave power to prevent the importation of cattle from any country in which the disease was known to exist. He could not at the present moment pledge the Government to bring in a permanent measure on this subject which should come into operation on the 25th of March next, though they might make some proposal for regulating the movement of cattle whether infected or not. He thought he might add that the House was hardly spending its time very usefully in legislating for so short a period.

Viscount CRANBOURNE concurred with the right hon. Gentleman so far as to admit that there had been a considerable waste of time that evening in discussing very trifling matters; but he warned him that he was losing a most valuable opportunity if he did not undertake to introduce such a measure as would guard this country against the recurrence of the cattle plague. In Prussia a perpetual war was maintained against the disease from one end of the year to the other; and now that railways brought us into constant communication with Hungary and other places which seemed to be permanent seats of the disease, it was absolutely necessary that the system of traffic in foreign cattle should be placed on a satisfactory footing, with a view to ward off, as far as possible, future danger.

Sir MATTHEW RIDLEY said, he thought it most imperative that some steps should be taken to secure an inspection of vessels engaged in cattle traffic between this and foreign countries, particularly with a view of securing a free circulation of air through all parts of the vessel, plenty of room, and a sufficiency of provender. No cattle, moreover, ought to be allowed on deck. If he saw no sign from the Government of a desire to attain this object he should be disposed to blame them, and to charge the President of the Board of Trade with a remissness of duty.

Clause, as amended, *agreed to*, and *added* to the Bill. [*cl.* 12.]

Mr. BAINES said, that the hon. Member for Northamptonshire had had numerous conferences with gentlemen engaged largely in the trade of hides and skins in the borough which he (Mr. Baines) had the honour to represent, as well as in other places; and he must say that the hon. Gentleman had not only met them in a most liberal manner, but the entire series of clauses now added to the Bill were entirely satisfactory to them.

Clause *agreed to*.

Clause (Disinfection and disposal of carcases and skins,)—(*Mr. Graves,*)—*added* to the Bill.

Clause (Issue and Renewal of orders and regulations of Council,)—(*Viscount Cranbourne,*)—*added* to the Bill.

Clause (Inspection of cowhouses and cattle-sheds in boroughs,)—(*Mr. M'Laren,*)—*added* to the Bill.

Mr. WALDEGRAVE-LESLIE proposed to add at end of this clause a section placing the inspection of cowhouses, &c., and cattle-sheds in burghs and populous places in Scotland under the Commissioners appointed under the "Police and Improvement Scotland Act."

Motion *agreed to:* Section added to the clause.

Clause (Duration of Act).

"This Act shall be in force from the first until the twenty-fourth day of March 1866, both inclusive, and no longer."

Brought up; read the first and second time.

On Question, "That the clause be *added* to the Bill,"

Viscount CRANBOURNE was afraid when the Bill reached the other House with such a clause it would appear they had almost spent much of their time in vain. He hoped something would be done to make the Bill rather more worthy of all the pains they had taken with it.

Mr. ACLAND thought they had been utterly wasting their time if the Bill was only to continue in operation for three weeks. He had to-day received from several quarters the strongest expressions of opinion that some system should be adopted permanently to regulate cattle traffic in England. The Government had turned their attention to this point, but they were completely stopped by the course which had been taken on the other side.

Mr. HUNT said, he could understand the disappointment of hon. Gentlemen opposite. He had been most strongly urged to limit the Act to the 25th of March. It certainly appeared to him to be the sense of the Committee that the Act should be temporary and that the Government should, between the present time and the 25th of March, give their attention to the subject and then bring in a Bill either continuing some of its provisions or substituting others for them.

MR. BARING understood his hon. Friend opposite to hold the opinion that the necessities of farmers were such that it was essential that stock should move about the country as early as the 25th of March, and he proposed clauses carrying out that view. He had expected from his hon. Friend something more definite as to what degree of relaxation was necessary for the farming interest after the 25th of March.

MR. HUNT said, he had brought in a Bill which was to continue in operation up to a certain time, and in the interval he hoped the Government would give their consideration to the subject. Between this and the 25th of March it would be quite possible to bring in a Bill to continue the provisions of this Act, or to improve upon them.

SIR GEORGE GREY said, the time of the House would probably be otherwise occupied, and hon. Gentlemen must trust to Orders in Council to continue any of the provisions of this Act.

SIR EDWARD COLEBROOKE hoped the Bill would be restricted to the 25th of March, and that the Government would in the meantime give the subject their attention. He was perfectly willing that power should be given to the Government to continue some of the provisions of the Bill; or, if that was not done, a short continuance Act might be introduced for the purpose.

MR. ACLAND said, he doubted whether by the 24th of March the Bill could be carried out, and in some parts of the country the exceptions contained in the measure would be fatal to its whole object. In districts where there might be a great deal of infection, those on the spot should have the power of abolishing all the exceptions.

MR. SCLATER-BOOTH said, he thought that the public would be disappointed if all the provisions of this Bill, which had been so carefully considered, should come to an end on the 24th of March. The subject was one which ought to be taken up and dealt with by the Home Office.

SIR GEORGE GREY said, he saw great difficulty in making any rule applicable to all the various circumstances of different parts of the country, and he considered it best to lay down some general rules, and leave it to the local authorities to adapt them to the different parts of the country.

MR. CRAUFURD said, that as far as he knew, it was the unanimous opinion of Scotch Members that the clause should be adopted.

SIR JAMES FERGUSSON said, that the hon. Member was rather mistaken on that point.

Question put, "That the clause be added to the Bill."

The Committee *divided*:—Ayes 50; Noes 73: Majority 23.

New clause (Licence, how to be obtained) —(*Mr. Hunt*,)—*brought up*, and read the first time.

SIR HARRY VERNEY thought the clause gave too much power to parish officers. He was of opinion that it would be better to fix upon some particular officer in each parish, and charge him with the responsibility.

MR. ACLAND thought it would be better to require no confirmation whatever of the statement of the owners.

MR. HUNT said, he should have no objection to add the words, "Parish officers being ratepayers to a certain extent or being owners of cattle."

SIR GEORGE GREY said, the plan adopted in Northumberland had worked well. There the declaration of the owner was countersigned by two tenant-farmers living in the neighbourhood, who certified that they themselves had seen the cattle and the premises where they were, that they were healthy, and that there was no disease within five miles of the place.

MR. HUNT thought a plan which required neighbouring farmers to go on to premises to inspect cattle would be objectionable, as being likely to propagate infection.

MR. BARING said, that some substantial person should be made responsible for the granting of these certificates, for the door would be open to gross fraud if the power were vested in any parish officer.

SIR STAFFORD NORTHCOTE said, that the system of elected overseers had worked well in Devonshire, which, however, might not be on all fours with other counties. He believed the best plan was to have certificates given by persons elected by farmers, and confirmed as far as might be by magistrates. The next best thing would be to leave the matter in the hands of the magistrates. If a man were elected for a totally different purpose, there was no security whatever, and the principle of popular election was not brought into play. He was sorry that the proposal to appoint overseers had been withdrawn.

Sir GEORGE GREY thought the local authorities should be at liberty to take the course which they thought most efficient.

Sir HARRY VERNEY suggested that the local authorities should appoint the parish officers.

Mr. HUNT accepted the suggestion, which was about the only one he had heard from the other side of the House.

Sir GEORGE GREY said, that in many townships there was only one occupier who could be the parish officer, and that person might possibly be interested in the cattle in question. He proposed an alteration in the clause in conformity with the suggestion of the hon. Baronet (Sir Harry Verney)—namely, to leave the appointment of "person or persons" to sign the certificate to the local authorities.

The clause was amended by substituting the words "such person or persons as shall be appointed by the local authority."

Clause, as amended, *agreed to*, and *added* to the Bill. [*cl.* 13.]

New Clause (Disinfection of cattle pens and trucks of Railway Companies,)—(*Sir George Grey,*)—*agreed to*, and *added* to the Bill. [*cl.* 28 N.]

On Motion of The Lord Advocate, clauses, adapting the provision of the Bill to Scotland, *brought up*, and *agreed to*.

New Clause (Duration of Act,)—(*Mr. Hunt,*)—directing that this Act shall have the same duration as "The Cattle Diseases Prevention Act, 1866," *brought up*, and *agreed to*.

New Schedule *added*.

Bill *reported;* as amended, to be considered *To-morrow ;* and to be *printed*. [Bill 32.]

VACCINATION BILL.

On Motion of Mr. Bruce, Bill to consolidate and amend the Laws relating to Vaccination, *ordered* to be brought in by Mr. Bruce and Mr. Baring.

Bill *presented*, and read the first time. [Bill 33.]

House adjourned at a quarter before Two o'clock.

Sir Stafford Northcote

HOUSE OF LORDS,

Friday, February 23, 1866.

MINUTES.]—Public Bill—*Report*—Art [h.l.] (25 & 26).

CATTLE PLAGUE BILL.—QUESTION.

The Earl of DERBY wished to ask the Lord President a Question with respect to the Cattle Plague Bill, which had passed the House of Commons. He understood it was probable their Lordships would receive that Bill on Monday. This Bill might be considered as supplementary to the Cattle Diseases Bill; and he wished to hear, Whether Her Majesty's Government would take charge of the Bill, so as to carry it through the House as speedily as possible, considering the necessity of making some alterations in the provisions of the present Act?

Earl GRANVILLE said, that the Government must decline the responsibility of taking charge of the measure to which the noble Earl referred.

The Earl of DERBY inquired, whether he was to understand from the noble Earl's reply that the Government would take upon themselves the responsibility of letting the Bill drop?

Earl GRANVILLE said, that if no noble Peer should think it worth while to take charge of the Bill in that House the Government would consider whether they should take it up.

ART BILL (No. 25).—REPORT.

Amendments *reported* (according to Order).

The Earl of MALMESBURY suggested the omission of the word "Ancient" in the fifth line of the preamble. It having been suggested that there would be some want of courtesy towards foreign nations in refusing leave for our works of the Old Masters to be sent to the Paris Exhibition of 1867, he had looked into the question and could not find any instance in which ancient pictures had been sent from foreign Museums to this country. The removal of works of this description were attended with so much risk that he trusted our contributions to the Paris Exhibition would be confined to the works of modern masters.

Lord STANLEY of ALDERLEY said, his observations on a former evening applied to modern, not to ancient pictures.

The Earl of MALMESBURY said, if that were so the noble Lord must have been misunderstood. The fact, however, was that in France little need or desire existed to see such specimens of the ancient masters as we possessed. The Spanish and Italian schools of painting were probably better represented than they were with us. Their great desire was to see the works of our modern school of painters, and to study the progress of art in this country.

LORD STANLEY OF ALDERLEY said a few words in explanation.

LORD TAUNTON, agreeing with the observations of the noble Lord opposite, thought it would be better to introduce more general words. The phrase "British works of ancient Art" left it doubtful whether the works referred to were those of ancient British artists, or merely works of ancient artists in the possession of persons resident in this country.

After a few observations from Lord OVERSTONE and the Duke of MARLBOROUGH, the words "Works of Art now in this country" were substituted for the words "British works of ancient Art."

Further Amendments made.

Bill to be read 3ª on *Monday* next; and to be *printed*, as amended. (No. 26.)

ILLEGAL REMOVAL OF CATTLE.

QUESTIONS.

LORD WHARNCLIFFE asked the Lord President, Whether the Local Authority in England could apply the county rate to the payment of rewards offered for information as to illegal removal of cattle?

THE EARL OF AIRLIE inquired, whether any experiments had been made under the direction of the Government, not only with a view of discovering a cure for the disease, but for the purpose of fortifying the systems of animals that had not yet taken the infection? By Papers presented that morning it appeared that the Consul at Warsaw had stated that in Poland mineral water had been found a successful cure. He wished also to ask, whether the Government had placed any animals under the care of Mr. Worms, whose treatment was said to be very effective? He had received a letter that morning informing him of the recovery of fourteen out of fifteen animals. As it was quite possible that even if the disease should be "stamped out" now it might break out again, it was very desirable that if any means of cure should be discovered the treatment should be made known.

LORD KINNAIRD said, before he left Scotland the disease had disappeared in one place and had broken out in another. The farmers had come forward in a most liberal way with an offer to buy up two or three lots of cattle where the disease had broken out; but the owners would not dispose of them. On the passing of the Bill he had written to the owners to say that they had better take the responsibility of slaughtering the animals; but he had that morning heard that that measure was unnecessary, inasmuch as the animals had all recovered. He knew of other districts where cure was common, and as people did not like to give up the chance of bringing about the recovery of valuable animals, they would endeavour to evade the Act. He declared that he would do his best to evade it himself. They could not expect a person to sacrifice a valuable herd when there was a possibility of cure; and when Mr. Hunt's Bill came on he should have to move an Amendment to it in that respect.

EARL GRANVILLE, in reply to the noble Lord who had addressed the first Question to him, had to state that the words of the Act would not authorize the application of the county rate in the manner suggested. With regard to the Question of the noble Earl, the Government had sent down inspectors to ascertain particulars with respect to the cases of cure by Mr. Worms which had been brought under their notice. They had been guided, however, by the Royal Commission from the beginning as to the possibility of curing the disease, and inquiries conducted in the most scientific manner were being made under the auspices of the Commission at the present moment.

House adjourned at a quarter before
Six o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 23, 1866.

MINUTES.]—SUPPLY—*considered in Committee*—Marriage Portion of Princess Helena.

PUBLIC BILLS—*Resolutions in Committee reported*—Princess Helena and Prince Alfred; Monument to Viscount Palmerston.

Cattle Diseases (Ireland); Hop Trade; Merchant Shipping Act (1854) Amendment.

Ordered—Princess Helena*; Prince Alfred*; Cattle Diseases (Ireland)*; Public Companies*; Hop Trade*; Rochdale Vicarage*; Merchant Shipping Act (1854) Amendment.*

First Reading—Public Companies* [35]; Hop Trade* [36]; Cattle Diseases (Ireland)* [37]; Rochdale Vicarage* [38]; Turnpike Roads* [39].
Second Reading—Public Offices (Site)* [10].
Referred to Select Committee—Public Offices (Site)*
Considered as amended—Cattle Plague [32].
Third Reading—Cattle Plague [34]; Telegraph Act Amendment* [23] [*Lords*] and *passed.*

PUBLIC SCHOOLS.—QUESTION.

MR. GRANT DUFF asked Mr. Chancellor of the Exchequer, Whether it is intended to introduce during the course of the present Session any measure with reference to the Public Schools?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that he was not able to state positively that a measure relating to Public Schools would be introduced this Session; but, if the state of public business would permit, it was the intention of his noble Friend, Lord Clarendon, to bring in a Bill in the other House.

UNITED STATES AND CUBA.
QUESTION.

MR. BAXTER asked Mr. Chancellor of the Exchequer, If any communications have taken place between Her Majesty's Government and the Government of the United States regarding the propriety of sending a joint Squadron to the Coast of Cuba, for the purpose of preventing the importation of Slaves into that Island?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I must answer the Question of my hon. Friend in the negative. There have been no communications between Her Majesty's Government and the Government of the United States with respect to sending any squadron to the coast of Cuba. There were communications some time ago —I think in the year 1864—between the two Governments with respect to the expediency of sending a small American squadron to the West African coast. With regard to the desirability of attaining the object in view, both parties were entirely at one; but the desire of the Government of the United States was that the vessels of the United States appointed to that duty should be released from the restrictions placed upon the cruisers of the United States in British ports generally under the Neutrality Proclamation. The opinion of Her Majesty's Government was that it was perfectly fair that they should be released, but that all vessels so released should be employed exclusively in operations for the suppression of the slave trade. To that condition the United States Government, on its part very naturally, did not feel itself able to accede. On the other hand, Her Majesty's Government, quite as naturally, felt that if they were to exempt ships from the operation of the Neutrality Proclamation on any other ground, and allow it to be made the means of rendering British ports available for warlike operations, they would be departing from its spirit. With the best intentions on both sides, it was found impossible to agree on any practicable measure.

BRIGANDAGE IN GREECE.
QUESTION.

LORD AUGUSTUS HERVEY asked the Under Secretary of State for Foreign Affairs, Whether he is aware that the Demarch of Astakò reported to the superior authorities that the three English travellers who were seized by brigands near Dragomestre, on the 8th of December, 1865, had been previously warned by him of their danger; whether he is aware that that report was completely untrue; and, if so, whether the Foreign Office has urged, or intends to urge, upon the Greek Government the dismissal of that functionary?

MR. LAYARD said, that so far from the authorities stating that they had assured the three English gentlemen that there was no danger, they rather complained of those gentlemen going into a part of the country infested by brigands. He held in his hand a report from the Demarch of Astakò to his Government, in which the fact was stated. Under these circumstances, Her Majesty's Government did not think it necessary to call upon the Greek Government to take any steps with regard to him. Mr. Erskine had directed inquiries to be made into the facts of the case. It would be very advisable if travellers in Greece—and there appeared to be many—would put themselves in communication with the authorities before proceeding through districts remote from towns, as it was well known that brigandage was rife at the present moment in that country.

DISEASE AMONG SWINE.
QUESTION.

SIR JOHN WALSH asked the President of the Board of Trade, Whether the attention of Her Majesty's Government has been drawn to the appearance of a new disease affecting swine in parts of the Continent of Europe, and not only destroying the animal, but rendering the flesh poisonous and dangerous to human life; and whether they have instituted any inquiries by competent medical and scientific authorities, with a view to ascertain the nature, extent, and progress of the disease? He wished to explain, in putting the Question, that the disease had appeared in France and Germany, and that eggs were deposited by insects in the hide of the animal, which died soon afterwards, or, if slaughtered, could not be eaten with safety.

MR. H. A. BRUCE said, in reply, that in 1862 Professor Gamgee was directed to report upon the subject of diseases in meat, and among the diseases embraced in the inquiry was the one referred to. A German physician of eminence, who had paid special attention to the subject, was directed to make a Report, and it was published in the last volume of the Reports of the Medical Officer of the Privy Council. The Report was most exhaustive, supplied a number of illustrations, and gave every possible information upon this and other parasitic diseases affecting animals that were killed for human food.

WAGES OF LETTER CARRIERS.

QUESTION.

MR. FAWCETT asked Mr. Chancellor of the Exchequer, Whether he thinks the Postmaster General came to a just and wise decision in refusing the application which the letter-carriers made for an advance in their wages in consequence of the rise in house-rent and in the price of provisions; and, whether these same considerations have not induced the magistrates of many counties to raise the salaries of the police?

THE CHANCELLOR OF THE EXCHEQUER said, that in answer to his hon. Friend, he had to state that the decision to which he referred was, he (the Chancellor of the Exchequer) believed, a decision of the Postmaster General never brought before the Treasury until it came under its notice in consequence of the Question of his hon. Friend; and it was a decision not upon the case of the whole of the letter-carriers of the Post Office, as, perhaps, the question might lead hon. Members to suppose, but upon an application from a considerable number of the country letter-carriers. He mentioned this because it was important to bear in mind, in considering the decision of the Postmaster General, that his noble Friend did some years ago consider very fully and readjust the salaries in the great metropolitan department. In looking into the question to which his hon. Friend referred, the Postmaster General examined very carefully what was the alteration in the position of the letter-carriers in consequence of any rise in house-rents or in the price of particular provisions, and likewise—a matter which his hon. Friend's Question did not take notice of—of any fall in the price of particular provisions—due either to the legislation of that House or to some other cause. His noble Friend (Lord Stanley of Alderley) also had regard to another very important question—namely, what was the application all over the country for the situation of letter-carrier, and the degree of disposition shown by perfectly competent persons to undertake it. Examining the whole of that matter, and finding that there was no diminution in the number or in the quality of persons who were found desirous of obtaining the situation of letter-carrier, and likewise looking carefully into the questions of house-rent and provisions, he came to the conclusion that there was no sufficient ground for acceding to that application, and he (the Chancellor of the Exchequer) confessed that his impression was that the decision was a wise one. With respect to the latter part of the Question, he had no information on the subject to which it referred; but he thought it very probable that what was there stated might be so. There were departments of the public service in which salaries had been raised, and that within no long time back. There might be others in which the same question was at present undergoing consideration; but he did not think that the course taken by magistrates with reference to the salaries in this or that particular county of the police, who were a recent institution, would afford any conclusive evidence with regard to the course which the Government ought to take in respect of the wages of letter-carriers.

MINES.—QUESTION.

MR. CLIVE asked the Secretary of State for the Home Department, Whether the Government is about to bring in any measure with reference to those Mines in Great Britain to which the Act 23 & 24 *Vict.* c. 151 does not apply?

SIR GEORGE GREY, in reply, said, it was the intention of the Government to bring in a Bill on the subject referred to, and they had been in communication with several members of the Commission as to the preparation of the Bill.

DUTY ON COFFEE.—QUESTION.

Mr. MARSH asked Mr. Chancellor of the Exchequer, Whether it is his intention to reduce the Duty on Coffee in the same proportion as the Duty on Tea has been reduced?

The CHANCELLOR of the EXCHEQUER: My hon. Friend is, no doubt, well aware, from his experience in Parliament, that the universal and inflexible rule of those who hold the office I do is to decline to answer any question in respect to the reduction of duties, except in those cases in which the Government itself has done some act which gives ground for the presumption that such reduction is intended. My opinion is that there is not any ground for reducing the duty on coffee with reference to the duty on tea, because I think they are things which ought to bear pretty nearly the same duty *ad valorem.* I believe the duty is about 6*d.* a pound on tea and 3*d.* a pound on coffee. There may be a difference of 2 or 3 per cent *ad valorem;* but I believe the relation is as fair as it is possible to make it.

WEIGHTS AND MEASURES.

QUESTION.

Mr. DAWSON asked the Secretary to the Treasury, Whether, in the Bill contemplated by the Government for the better Regulation of Weights and Measures, provision will be made as to a scale of uniformity in Weights and Measures, to be applicable equally to all parts of the United Kingdom?

Mr. CHILDERS said, in reply, that his hon. Friend did not quite understand the answer which he had given yesterday. It related to the Exchequer standards, and to copies made of those standards. The present question related more to the law as to weights and measures in force in England and Ireland, which was not directly the object of the Bill in question.

CATTLE STATISTICS.

QUESTION.

Mr. READ asked the President of the Board of Trade, What machinery will be employed in taking the number of Cattle, and whether any portion of the Vote for Agricultural Statistics will be applied to defray the expenses of the Cattle Returns?

Mr. MILNER GIBSON said, in reply, that the machinery employed was this. A schedule was drawn up by the Board of Trade, it was sent through the Post Office to the owners of live stock, and certain officers of the Inland Revenue then made up the aggregate Returns. The Vote to which the hon. Gentleman referred would be applicable to the collection of those statistics.

IRELAND—QUEEN'S UNIVERSITY AND QUEEN'S COLLEGES.

QUESTION.

Sir ROBERT PEEL: Perhaps it would be convenient for the House, as I have already obtained the concurrence of the Chancellor of the Exchequer, that I should ask the right hon. Gentleman, as the organ of the Government, a Question with respect to the subject which stands on the Notice Paper to-day in my name. I should like, with the permission of the House, to put that Question prefaced by a very few remarks, but I am altogether in the hands of the House. I think, considering the importance of the Question, and the answer given by the Chancellor of the Exchequer the other night, that the House would perhaps allow me. Sir, the Motion which stands in my name on the Paper is now well-known to hon. Members. I may be blamed because sufficient time has not been allowed to elapse between putting the Notice on the Paper, and the Motion to which that Notice refers; but I will explain how that has occurred. We—for I do not speak in my own name only, but I speak on behalf of many hon. and right hon. Members in this House—have felt that the circumstances of the case were so important, and the danger so great to the principles which were involved in the existing system of the Queen's University—namely, united secular University education for the youth of Ireland of all denominations upon a footing of complete equality—that we believed no time was to be lost in bringing the question under the notice of the House. And, even supposing I had not obtained the permission of the House to make a few remarks, such is the importance of the question that, to put myself in order, I would, if necessary, conclude by making a Motion of adjournment.

MR. SPEAKER: Unless I am otherwise directed by the House, and unless the House desires, that there should be a departure from our ordinary rules, I must remind the right hon. Baronet of the exact state of the case. The right hon. Baronet has given Notice that at a later period of the evening, on the Motion for going into Committee of Supply, he will make a Motion upon this subject. The right hon. Baronet has the liberty, if he pleases, to change that Motion into the form of a Question; but, in putting the Question he is bound to observe the rules which are prescribed, and I must also add that it will not be in his power to do what he has just said he might do, to make a Motion to adjourn the House for the purpose of this discussion. Because he has given Notice of his intention at a later period of the evening to move an Address, he cannot now by anticipation go into that question by moving the adjournment of the House.

SIR ROBERT PEEL: I am quite willing, Sir, to bow to your decision, but in my own justification I must say that it is at the desire of the Chancellor of the Exchequer that I rise to put this Question. I will merely say that, in consequence of the dialogue which took place between us the other night, I saw my right hon. Friend, and he informed me that there appeared to be some misunderstanding with respect to the answer which he then gave, and he told me—and it will be a great satisfaction to the House to hear it—that the Government, having seen the Notice which I put on the Paper, have been graciously pleased to yield to the general wish of the House—they have determined not to obtain the Sign Manual of the Sovereign until they have submitted the question to the judgment of the House. The Chancellor of the Exchequer will tell you so.

MR. SPEAKER: I must remind the right hon. Baronet that this is rather an answer to the Question than the Question itself.

SIR ROBERT PEEL: The intelligence was so gratifying to myself and other hon. Members that I could not forbear from saying that, in consequence, I believe, of this notice of mine—as the Chancellor of the Exchequer will tell you—nothing will be done to alter the Charter. ["Order, order!"] Well, then, I will ask the Chancellor of the Exchequer—Is it or is it not the case that since the Notice which I placed upon the Paper the other night the Government have determined to yield to what appeared to be the wishes of the House? Will they or will they not make any alteration in the Charter of the Queen's University without first consulting the House as to the propriety of those changes?

THE CHANCELLOR OF THE EXCHEQUER: Sir, in the first place let me say that I think no man could blame my right hon. Friend, with the feelings which he ascribes to himself—believing that the House was in danger of being taken by surprise—for having looked for the first opportunity of interposing. That is my first answer. My next answer will not be precisely the same in form. My right hon. Friend has asked whether, since the Notice which he placed on the Paper the other night, Her Majesty's Government have determined not to make any alteration in the Charter of the Queen's University without first consulting the House as to the propriety of the change. In reply to that, I have to say that there has been no change whatever in the intentions of Her Majesty's Government since or before the appearance of the Notice of my right hon. Friend. But the Question put to me upon the former day by my right hon. Friend, if I recollect it rightly, was, whether I would lay upon the table of the House a draft of the Charter as proposed to be altered before advising the Queen to sign it. ["No, no!"] So I understood the Question. Such I believe it to be, and to that Question I must answer now, as then, in the negative. But I said at that time that my right hon. Friend the Secretary of State for the Home Department was prepared to lay upon the table of the House at the earliest possible period the correspondence relating to this subject; and if the object of my right hon. Friend is simply to be fully informed of the advice which the Government may think it their duty to give to the Crown in this important matter, I entirely concur with him in thinking it is quite reasonable that that information should be given. I always thought that last year, when the Government came to its preliminary Resolution on this subject, the very first thing done was to state to this House the nature of the changes which it was proposed to make. Since that time there has been much correspondence on the subject. That correspondence is not yet concluded. I believe the House will not think there is anything strange in the delay which has occurred. Naturally, the communications on this subject must be undertaken by the Lord Lieutenant and the Chief Secretary for Ireland, and recently, as the House is aware, these personages have had other more pressing questions to consider than those of University education. My right hon. Friend himself will move to lay on the table the correspondence as far as it has gone, and when it is concluded, and the Government have made up their minds —not before, and are ready to announce their conclusion, they will put the House at the earliest moment in possession of the fullest information on the subject. As to the Charter, it will naturally follow the conclusion at which the Government shall arrive upon points which that Charter may embrace, and I think I may say to my right hon. Friend that he need not be in the least afraid that he will be unable in point of time to bring the subject under the notice of the House, and to challenge the Government, if he thinks fit, before the Crown has committed any formal act, but not before the Administration have given any advice they may think it their duty to give to the Crown before the Crown is committed to that formal act. It was our intention, whether we are or are not compelled by law to do so, to clearly place under the view of Parliament the opinions we hold on the subject of University education in Ireland, and the advice which in consequence of these opinions it would be our duty to give the Crown. It was and is our intention to raise the question by asking the House to vote certain sums for scholarships to be opened to candidates from the Queen's Colleges, and to any other persons entitled to be examined in the Queen's University. In that manner we thought we should bring the matter fully and clearly before the House. We entirely agree with the right hon. Baronet in thinking this question one of great importance and great difficulty. I promise the right hon. Gentleman that the Government will fully and cordially state their views on the subject to the House, and that nothing shall be done to preclude the House from fully considering the question at the proper time.

Mr. BAXTER said, he would beg to ask the Secretary of State for the Home Department, whether the Papers relating to the question of Irish University education which the Government have promised to lay on the table, will include the memorials which had been presented praying that no change should be made in the present system, as well as those asking for a change?

Sir GEORGE GREY said, that there would be no objection to laying on the table the memorials referred to by the hon. Gentleman.

Mr. LOWE: As I am very anxious, Sir, that there should not again be any misunderstanding on this subject, I wish to ask Mr. Chancellor of the Exchequer a question. Am I to understand from him that when the Government has made up its mind on this subject it will first tender advice to the Crown, and then give Parliament an opportunity of expressing its opinion? Is that to be the course adopted? Or will Parliament be asked its opinion before any advice is given to the Crown?

The CHANCELLOR of the EXCHEQUER: Our first duty will be to make up our minds on the question. Nothing could be more unworthy on our part than to bring this important question before the House previous to our having made up our own minds as to the course we should pursue. It will be perfectly practical, right, and convenient that no definite proceeding shall be taken by the Crown before the House has an opportunity of expressing its opinion.

Mr. LOWE: But will the Government give their advice to the Crown before Parliament has an opportunity of giving its opinion on the subject?

The CHANCELLOR of the EXCHEQUER was understood to answer in the negative.

CATTLE PLAGUE BILL.

QUESTION.

Mr. HUNT asked the Secretary of State for the Home Department, Whether, in the event of the Report on the Cattle Plague Bill being brought up that evening, there will be any objection to taking the third reading of the Bill?

Sir GEORGE GREY said, that Her Majesty's Government could not assent to the request of the hon. Gentleman unless the Bill were printed. Last night he strongly advised that the Bill should be printed, so as to be in the hands of hon. Members that day. This had not been done, and, considering the great number of alterations that had been made in the Bill, the Government could not adopt the course proposed by the hon. Member.

RAILWAY SIGNALS.—QUESTION.

SIR **WILLIAM GALLWEY** asked the President of the Board of Trade, Whether, with a view to insure the safety of the public, he had endeavoured to impress upon the railway authorities the necessity of providing means by which passengers in railway trains could communicate with the guard of the train? He also wished to ask the right hon. Gentleman, whether his attention has been called to a recent accident on the Great Western Railway, when, a collision having occurred, the passengers in one of the trains were unable to escape, owing to the fact that the doors of the train were locked? He would also beg to ask the right hon. Gentleman, whether he intends to introduce a Bill by which a penalty would be imposed on all railway companies, the officers of which either did not provide sufficient means of communication between the passengers in a train and the guard, or who locked the doors of a passenger train, thus cutting off all chance of escape in case of accident?

MR. **MILNER GIBSON**: I should be willing to give the hon. Baronet the particulars to which he has referred, if I had had earlier notice of the Question. As to his further inquiry—whether we have endeavoured to induce railway companies to adopt some means of communication between the passengers and guard, and between the guard and driver—my answer is, we have done so. I have myself seen the Chairman of the Committee appointed by the principal railway companies to consider the question more than once, and I have pressed upon him the necessity of doing something. The hon. Member for Dudley has given notice of a Bill on the subject, and when he brings it forward we can discuss the question.

TAME VALLEY VIADUCT.—QUESTION.

SIR **ROBERT PEEL**: Can the right hon. Gentleman answer the Question I put to him the other night, and which he was then unable to answer? [*See page* 868.]

MR. **MILNER GIBSON**: I thought I had answered the Question relating to the bridge, and I must give the same answer I did before—namely, that the railway in question was open previous to the time when the Board of Trade had any jurisdiction or power of inspection. I assume we have now power, but no representation has been made to the Board of Trade. I am not aware that at any recent period of time our attention has been called to the subject. I promised the right hon. Baronet to make inquiry, but I have not yet had time to do so fully.

DEEP SEA OYSTER FISHERIES.
QUESTION.

MR. **STEPHEN CAVE** said, that perhaps he might be allowed to make a few remarks by way of introduction and explanation to the Question which stood in his name. It might not be generally known that the oyster fishers of the south coast —those, that was to say, west of the North Foreland—laboured under disabilities from which those upon all other coasts were exempt. This, however, was unfortunately the case, and for this reason:—In the year 1839 a Convention was concluded between England and France, the chief object of which was to reserve the exclusive right of fishing within a certain distance of the shore to the subjects of the respective countries. Unfortunately, those who were intrusted with the preparation of the Convention did not confine themselves to this, but drew up a series of regulations which might be found embodied in no less than eighty-nine clauses in the schedule to the Act of 1843, by which the Convention was carried into effect. These clauses contained minute regulations respecting fisheries which ought never to have formed part of such a Convention, and for this reason—that under it they were not applied to places in which France and England had common jurisdiction, but either to the sea within the three mile limit, where the municipal authorities alone had either interest or power to enforce them, or to the deep sea beyond those limits, which was common to all the world; and in which we might create artificial disabilities for each other, but could not impose them upon other nations, who were free to act as they pleased. The attempt by France and England to enforce special restrictions in localities over which they had no power was not more reasonable than if they were to make Game Laws for the preservation of antelopes in South Africa. The framers of these regulations seemed, however, to have proceeded on the assumption that the whole channel between England and France was under the co-ordinate jurisdiction of the two countries. The moment the attempt was made to carry out the new Act it proved so burdensome that the authorities began at once to modify and evade it by the convenient means of Orders in Council. First, it was decided that the Convention was not in force within the three mile limit. Next, it was held that it applied only to coasts west of the North Foreland, though the terms were clearly intended to have a more extensive meaning; so that, practically, it had been reduced to the deep sea between England and France, which was open to all the world, and fished by Belgians and Dutch, who were subject to no restrictions. Indeed, the latter practical people had set us the example of abolishing all restrictions as to close months and peculiar modes of fishing, and, as it was stated, a marked improvement had since taken place in the condition of their fishing industry. After what had been said, no one would wonder that there was scarcely a clause in the Act about which lawyers did not differ. Sometimes an ignorant, hardworking fisherman became the helpless victim of an over-zealous cruiser or Customs officer; he submitted perforce. As one of the Shoreham witnesses said, "We are poor people, and cannot stand against the Government." But when powerful companies defied interference a message came down from the Board of Trade that, by the advice of the Law Officers of the Crown, the regulations had better not be enforced. In other cases prosecutions had commenced and never concluded. While there was this general objection to the Convention, that it was framed upon the assumption that France and England had jurisdiction over the whole channel, there was this in addition —that it also took for granted that the same enactments were suitable for the whole wide range. Hence, some were extremely mischievous, and none more so than those which fixed the close time for oysters. These were applicable, indeed, to the shallow water beds near the shore, the only ones the framers of the Convention knew anything of, and followed the well known rule of the months without an "r," in other words, dredging was prohibited from April to September. Unfortunately, the only beds where this could be enforced were those to which it did not apply. The deep sea beds were from twenty to fifty miles from shore, of such enormous extent that boats dredged the same bank thirty miles apart, and new ones were constantly discovered. In these the fish spawned when they spawned at all, in July and August; and consequently, the month of the whole year when they were in worst condition was September, when the fishing began, and the best in May and June, when it was forbidden. Hence, the dredgers were forced by the shortness of time they had for stocking their beds to bring oysters in at the very time they would not, if left to their own discretion. The Convention was not intended to apply to these banks, which were not known in 1839, and for years the dredgers worked all the year round. But in 1852 complaints were made by the French, and the Act of 1855 was passed, which was so stringent that the Shoreham fishermen were not allowed to carry their dredges in their boats to the east coast, but were compelled to send them by railway, at great expense, till relaxation was procured last year, permitting them to be carried if tied up and sealed by the Customs. In 1859 this subject was brought before the House by Sir George Pechell, M.P. for Brighton, and since his death he (Mr. Cave) had been so impressed with the hardship of the case that he had frequently introduced it at the risk of appearing importunate. In 1863 Mr. Fenwick, M.P. for Sunderland, and himself, moved for a Royal Commission, and, though the Motion was resisted by the President of the Board of Trade, a majority of the House decided that sufficient cause had been shown; and he might, perhaps, take it as some evidence that it was not considered a very unreasonable proceeding by the powers that be, since his co-conspirator was now a Member of the Government which then opposed the Motion. He heard before this that communications had been made to the French Government, but the reply was that they must have the whole Convention or none, and the impression was that they pressed this point, which could be of no importance to them, in order to get rid of all. After two years' inquiry, the Commissioners had come to the same conclusion with himself, and recommended the termination of the Convention and the repeal of the Acts enforcing it. They asserted that the restrictions were injurious to the fishermen, by paralyzing their trade and inducing them to break the law; injurious to the oyster-beds, which, according to all evidence, were most productive when most worked and cleared from mud and weed; and injurious to the public, by restricting the supply at the very time the oysters were most fit for food. He hoped, therefore, Her Majesty's Government intended to carry into effect the recommendations of the Commissioners with the least possible delay. He had heard of arrangements for an International Commission to go again into the whole matter; but surely this was unnecessary in a question which was more one of principle than of detail—whether, namely, any restrictions should be imposed upon our fishermen in respect of seas which were open to all the world. The time was drawing near when the restrictions would be again in force—when, after a most stormy winter, which must have unusually curtailed their operations, the fishermen of the southern coast would find their means of livelihood suspended by an arbitrary law, while they would have the mortification of seeing whole fleets pursue beyond an imaginary line the honest industry from which they were debarred. He therefore implored the Government to consider whether notice of the termination of the Convention could not at once be given to the French Government, and, without trespassing longer on the patience of the House he begged to ask the Question, Whether the Government intend to carry into effect the recommendation of the Deep Sea Fishery Commission respecting the Deep Sea Oyster Fishery?

Mr. DU CANE said, that in the interest of a large number of his constituents, he must entirely endorse the statement of the hon. Gentleman, and join in the hope he had expressed, that the Government would see the necessity of taking immediate action upon the Report of the Royal Commission, and that if it were really necessary to settle the matter by an International Commission, the Government would get it appointed forthwith. He should like to see the powers of the French Convention largely altered, if not totally repealed. Since 1843 the regulations of the Convention Act had been nothing but a fruitful source of jealousy, difficulty, and misunderstanding, not merely between the fishermen of England and France, but also between our own fishermen and the Government of this country. Not only had those provisions been extensively evaded with the knowledge and consent of Her Majesty's Government, but the highest legal authorities differed as to the manner in which the regulations ought to be interpreted. It was a moot point, for example, whether the provisions of the Convention had any force within the three mile coast line, or whether they referred only to the deep water. And he further believed no one could say where the coast line commenced and where it ended. If you put the question to the Board of Trade, they would tell you probably that the coast line regulations applied to the whole of the southern and eastern coast. If, on the other hand, you asked the fishermen themselves, they would answer that the Board of Trade had itself drawn a line from the North Foreland on one coast to Dunkirk on the other, north of which the coast line regulations had no application; and, in point of fact, when a year or two since the Board of Trade tried to enforce its own view on the Colchester fishermen, the fishermen of Colchester defied the Government to send cruisers after them; and though he never heard that a naval engagement had taken place, he believed that a civil action was still pending between the Board of Trade and the Colchester fishermen on this question. The Commissioners, in their Report, forcibly pointed out the difficulty of carrying out the law, and the uncertainty attending its administration. They said—

> "It is obvious that the uncertainty attending the law must be very prejudicial to the interests of the oyster trade, and, in fact, the law is administered very differently, according to the views which the commanders of cruisers take of the Convention. A dredgerman of Colchester thus described it to us:—'The commander of one cutter will come on board a vessel and say, You ought only to have oysters of such a size; and another will say, You ought not to have a dredge on board; and a third, that we ought not to be here; and the next that we ought not to be there. What with all these different opinions, we never know what we ought to do. In point of fact, the interference to which we are subjected has regularly paralyzed our trade. We are obliged to act contrary to the law; if we did not we should starve, or should have to seek some other mode of gaining a living.'"

The Government must feel that all that perplexity and misconstruction must be very prejudicial to the trade affected by it; and therefore he must express his earnest hope that, if immediate legislation on the subject were impossible, the Government would use their best endeavours to have an International Commission in order, if possible, totally to repeal the present vexatious regulations, or at all events to have the moot question of the coast limit thoroughly determined. He joined with the hon. Member for Shoreham (Mr. Cave), in asking the Government to effect some relaxation of the close month system. The close time extended from the 1st of May to the 30th of August; and deep sea fishing was during that time prohibited to the deep sea fishermen of England and France, although dredging was carried on within the coast line with the connivance of the Government and deep sea fishing was not interdicted to the fishermen of other nations. The fishermen of Essex, as well as those of Sussex, looked upon that as a very great hardship. There was only one unanimous opinion among all engaged in deep sea dredging—that it would be a great boon to the trade if the close month period were, if not abolished, at least relaxed so as to allow of deep sea fishing during the months of May and June. The facts of the case he believed to be that the spawning or "spatting" time, as it was called, of the deep sea oyster was at least two months later than that of the oyster in beds within the coast line and in shallower water, certainly the deep sea oyster was never better, or in finer condition, than during the months of May and June. Another reason which rendered the relaxation of the close month system imperatively necessary was the fact that the Convention was originally drawn up under the mistaken idea that a certain period for lying fallow was essential to maintain the productiveness of the oyster beds. That was an entirely exploded notion. All the authorities on oyster-culture, including Mr. Frank Buckland, agreed that, the more they dredged an oyster-bed, the more productive it was; and that to let a bed lie fallow for any length of time was tantamount to causing its destruction, by the accumulation of mud, sea grass, and sea vermin of all kinds. And in this respect the natural history of the sea resembled that of the land, that these months of May and June were precisely those in which the greatest growth of sea grass took place, and in which repeated dredging was necessary for cleansing the beds, if for no other purpose. If, therefore, the months of May and June were given for the carrying on of the deep sea fishing, not only would the supply of oysters in our markets be increased, but the oyster trade would be materially benefited, and a great improvement effected in the condition of thousands of hard-working men now dependent on that calling for their subsistence. With regard to the formation of private companies, he believed there were many parts of this coast where the French system of oyster-culture might be fully and fairly tried. But in appropriating any ground for that purpose care ought to be taken to avoid any ground where public fishing was already extensively carried on, and where a public right might be said to exist. Before grants were made the grounds ought, as much as possible, to be put up to public competition, and some guarantee should be required that they would be effectually worked, that a large increase in the supply of oysters would be the consequence of any such grant; and that it was the intention of those who applied for a grant to cultivate the ground in an efficient manner, and not as had been tried before now, under pretence of forming a company to get a monopoly of public ground into the hands of a few fishermen only. He thought the whole question, not of our oyster fisheries only, but of our fisheries generally, was one of great importance, and he trusted they would receive an assurance from the Government that immediate action would be taken upon it.

Mr. REBOW, as representing the people of Colchester, who thought they alone possessed the real "natives," wished to say a few words on that subject. He could confirm all that had been said by the hon. Member opposite in reference to the deep sea fishing. In conjunction with other gentlemen he had been to the Board of Trade, in order to induce the Department to interfere in regard to the treaty with France. One great object of the fishermen on our eastern coast was to obtain an extension of the period of fishing for the deep sea oysters, which were in the finest condition during the months of May and June. That fact, however, had not been discovered at the time when the treaty was made, and the fishing months were fixed. The object of the Coln Fishery Company was at present to obtain a positive assurance as to the line of demarcation over which the French Treaty extended. The East coast fishermen held that they ought to be enabled to fish in the German Ocean, from which they were supposed to be excluded by the French Convention.

Sir PERCY BURRELL desired to add his testimony to that already given, as to the excellent condition in which the deep sea oyster was in May and June, and impressed upon the Government the necessity of their speedily taking the whole subject into consideration.

MR. BLAKE observed, that living in the neighbourhood of an important fishing station on the coast of Ireland, he wished to call the attention of the President of the Board of Trade to the condition of this branch of industry in Ireland, and to the desirability of giving the earliest possible effect to the recommendations of the Commissioners. It would, no doubt, be within the recollection of the House that, when Mr. Fenwick, the late Member for Sunderland, moved an Address to the Crown for a Royal Commission to inquire into the Sea Fisheries of the United Kingdom, the Government opposed the Motion, which, however, was ultimately carried by a small majority. He thought the country, and especially Ireland, had reason to rejoice that the Motion was successful, for the inquiry had proved to be one of great national importance. He had himself attended some of the meetings of the Commissioners in Ireland, and he could bear testimony to the intelligence, zeal, and urbanity with which the inquiry was carried out, and which resulted in the production of an enormous amount of useful evidence, terminating with a valuable Report, which he had no hesitation in saying was one of the most complete and trustworthy that had been presented to Parliament for a very long period. The Commissioners made two recommendations with respect to Ireland, which he wished to impress upon the Government. They stated that there was a great falling off in the number of boats and men employed along the coast. In the year 1830 there were 13,119 vessels of all classes, and 64,771 men and boys employed in the trade. In 1836, when the stimulus of bounties or loan funds was withdrawn, the number of vessels fell to 10,761, and the men and boys to 54,119. In 1845, immediately before the famine, the number of vessels was 19,883, and the men and boys 93,073; in 1848 (after the famine), the number of vessels fell to 15,932, and the men and boys to 70,111; while last year the number of vessels was but 9,300, and the hands had fallen to 40,946. This showed a diminution within the last twenty years of 10,583 boats, and of 52,127 men. The Commissioners added that the numbers given for 1865, reduced as they were, still appeared to be large as compared with the produce of the fisheries indicated by the railway returns and the supplies in the principal markets. But it was explained to them that a very small portion of the 40,000 men and boys stated to be employed in the fisheries were fishermen in the true sense of the term. The fishing population in many parts of Ireland had not yet recovered from the depression and ruin caused by the famine; while the subsequent emigration had taken off the ablest of the fishermen, leaving behind the old, the feeble, and the incompetent. These causes naturally led to a considerable falling-off in the general supply of fish from the Irish coast; but the Commissioners were of opinion that, if double the number of men made a living wholly or in part by fishing twenty years ago, it was not to be supposed that over-fishing within the last few years could have contributed to that result. They believed that "with greater enterprize, skill, and capital, a greatly increased supply of fish might be produced from the seas round Ireland." The Commissioners recommended that all Acts of Parliament which profess to regulate or restrict the modes of fishing pursued in the open seas should be repealed, and that unrestricted freedom of fishing be permitted hereafter. Finally, they recommended that all restrictions which prevent foreign fishermen from entering British or Irish ports for the sale of fish be removed in Great Britain and Ireland, and that measures be taken to secure the like freedom for British fishermen in foreign ports. Previous to the withdrawal of the bounty system the fishing trade flourished to a certain extent on the Irish coast, because an inducement was offered to invest capital in that particular enterprize, but the bounties were discontinued because they were considered contrary to the principles of political economy, and the trade decreased. Now, however, he was happy to say that since the Commissioners had held their inquiry a more hopeful feeling prevailed in Ireland. Their Report was received with general satisfaction. Since its publication seven or eight joint-stock fishing companies had been started. One of these had a capital of £30,000, and so well was it thought of by the public that the shares were at once taken up, and there was not one to be had in the market at present. One or two steamers intended to be employed in the trade were also in the course of construction, in the hope that the present unwise and unjust restrictions would be removed. The removal of these restrictions would give an immense impetus to the trade in Ireland, would furnish remunerative employment to a great number of people, and would supply the English markets with an abundant supply of cheap and wholesome food. There was another subject in connection with the subject of Irish fisheries which he wished to mention, as it was essential to the success of the trade. Twenty years ago a sum of £20,000 was granted to assist persons interested in the fishing trade in the construction of suitable piers. That sum had been all expended, and he was sorry to say that a considerable portion of it had been diverted from its original object, for, instead of piers being built to accommodate fishing-boats, the money got into the hands of landowners, and it was expended for the accommodation of turf boats and for other purposes. Now, he begged to represent that unless some funds were found to build piers, and to provide harbour facilities for fishing-boats on the south and south-west coast of Ireland, it would be impossible to carry out the recommendations of the Fishery Commissioners. Tramore, in the county of Waterford, for instance, was a considerable fishing station, and the persons interested in the trade raised two-thirds of the sum necessary to entitle them to get one-third from the fund, and after this great effort had been made they were told that there was no more money, as the whole fund had been exhausted. Another essential element for the development of the Irish fisheries, in addition to carrying out the recommendations of the Commissioners, and providing suitable piers and harbour facilities, would be the placing of the fisheries under some vigorous and efficient central authority. This was a matter of great importance, and he ventured respectfully to urge it upon the attention of the President of the Board of Trade; also the desirability of giving immediate effect to the recommendations of the Royal Commissioners.

POSTAGE STAMP FOR NEWSPAPERS.

QUESTION.

MR. DARBY GRIFFITH asked Mr. Chancellor of the Exchequer, Whether he is aware that certain Railways have commenced carrying Newspapers along the whole extent of their lines by means of an adhesive Stamp of the price of a halfpenny for each transmission; and, if so, whether it would not be expedient that the Stamp for the transmission of Newspapers through the Post Office should be reduced to the same amount? For some time past most of the railways had adopted the system of conveying newspapers and other periodicals for half the price of the Post Office charge; and he now received his newspaper by the Great Western Railway with a halfpenny stamp affixed. Under the ordinary law of competition the practice would soon become universal. The present postal law was altogether anomalous; for while the impressed stamp served to carry a newspaper through the Post Office several times for a period of fifteen days, the affixed stamp answered the purpose of only one transmission. The tax also fell upon the newspapers with great inequality; for whereas the impressed stamp on the old and high-priced papers amounted to 30 per cent of the selling price, in the case of the cheap journals the percentage was 100. He received a short time since a communication from a gentleman at Hawick, stating that the North British, the Caledonian, and some other of the great Scotch railways were carrying newspapers at a farthing each, and he held in his hand some of their stamps. If the railway companies could, in a commercial point of view, carry newspapers on their whole line for a farthing it was evident that the Post Office could convey them for less than a penny. There was a margin of 300 per cent difference. He confessed that he thought the railway price almost incredibly low. Having a grateful recollection of the kind consideration which the Chancellor of the Exchequer had on former occasions given to similar representations, he would leave the matter in his hands without requiring any positive answer from him at present; but would be quite satisfied with an assurance that the right hon. Gentleman would consider the subject.

LAW OF RATING.—QUESTION.

MR. GATHORNE HARDY, in rising to call the attention of the House to a recent decision of the House of Lords on the Rating of the Mersey Docks; and to ask the President of the Poor Law Board questions as to the conduct of the Board in consequence of that decision; and also as to the intention of the Government with respect to the law of rating generally, and especially as it affects charitable institutions, such as schools, hospitals, &c., said: The subject to which I wish to call the attention of the House if not of pressing, is at least of growing interest, and will become more so as the consequences of the decision to which I refer are spread throughout the country. I am not going to enter into any discussion as to the grounds of that decision. I am not going to say that it is in any respect contrary to law; on the contrary, if the statute had now been brought for the first time under the notice of the courts of law, it is probable that they would have come to the same decision at which the House of Lords has arrived in the case of the Mersey Docks. At the same time the effect of that decision is so great, and its consequences will be so serious to every part of the country, and it is so much more like legislation than a mere judgment of a court of law, that I have thought it advisable to take the earliest opportunity of calling the attention of the House to the question for the purpose of ascertaining what course the Government intend to adopt, and whether they will propose legislation as a means of remedying the grievances which may arise in consequence of that decision. The decision has made the docks in the Mersey, which for a long time have been exempt from rating, subject to rating. They were exempt from rating on the ground that as all the proceeds of the docks were supposed to go to public purposes, there was no occupier who had a beneficial interest therein, and therefore there was no one to be rated. That is the principle on which many persons have been exempted from rating, they being regarded as merely "occupiers" without beneficial interest. I am not going to dwell upon the subject of the docks; but I may state that their exemption from rateability arose from a decision of Lord Mansfield—who decided that the Hospital of St. Luke's, in London, was not rateable because the trustees in occupation had no beneficial interest in it, and that the poor persons receiving benefits from it were the real occupiers, and they, of course, could not be rated. From that decision have flowed all the subsequent decisions with respect to hospitals, schools, and other charitable institutions of the country which, up to the period of the recent decision of the House of Lords, have, with certain exceptions, been exempted from rateability. It is a remarkable thing that two centuries and a half should have elapsed from the passing of the statute of Elizabeth without any decision having been arrived at as to the meaning of an "occupier" under the statute. The fact is that the statute of Elizabeth intended to rate all persons who derived any benefit from any property whatever—not only from real property, but from stock-in-trade and personal property. The two latter have been for a long time exempt, and are exempted by Act of Parliament, owing to the difficulty of carrying the law into effect. But with respect to the question of charities, it seems to me that a most material point arises for the consideration of the House and the Government. The question is whether or no they will leave charities as they are now placed by the judgment of the House of Lords, or whether they will take steps to place them in the same position as that which they occupied before that decision was given; or, if they will not do that, whether they will take steps to regulate the whole system of rating in this country, and take care that those institutions which are now exempt by statute shall not remain so—whether they will repeal those statutes, or what means they will adopt with the view of dealing equitably with respect to all persons who are called upon to pay rates in this country. It may be said that I am carrying the effect of this decision too far; but I think I am falling short of the difficulties which may arise from it. If it goes the length of rendering all charities which are now free from rates liable to them, then it will place most serious difficulties in the way of many charities which can barely struggle on at present. If, on the other hand, their position will be doubtful, it will plunge them into litigation with the view of ascertaining their real and actual position. It was said by some of the noble Lords who pronounced judgment in the case, that where there has been a long series of decisions they have almost the effect of legislation, and that in such cases, even if the decision be wrong, it ought to be set right by legislation, and not by the supervision of a superior court. Now, what has taken place with respect to the question of rating? Since the decision in the case of St. Luke's, charities have been exempt from rating. On the faith of that exemption buildings have been erected, contracts have been entered into, liabilities have been incurred, and engagements have been made by persons who now experience the greatest difficulties in carrying on the charities. My attention has been called to the case of the city of Norwich by the Chancellor of the diocese (Mr. Evans), and in order to show the effect which the decision of the House of Lords will have on the charities of the country, I will state to the House the information which he has given me relative to that particular case. He says that the aggregate assessable rental of all their charities amounts to about £2,000 a year; and that as the poor rates and other local rates are very nearly one-third of the rental, the charities would be subject to an annual payment of about £700. So that you will be taking from charities, schools, and other institutions £700 a year which they have enjoyed, which they supposed they had the right to enjoy in consequence of the decisions of the courts having continued in the same course for at least 100 years; and he feared that the effect of this additional burden might be to cause the schools in some of the poorer parishes, which have hitherto been with difficulty maintained, to be closed. It may be said that the decisions cannot be reconciled one with another, and that of late years the courts have generally decided against exemptions instead of in their favour. That is true. But in all the cases in which the exemptions were not confirmed the courts went out of their way to say that they were not overruling former decisions, but were acting upon distinctions which would allow both sets of cases to stand together. No attempt has been made to overrule the decision in the case of St. Luke's, St. Bartholomew's, and a great many other institutions, the Judges recognizing that as the standard and fixed law, and although they carried out the principle of the liability to rating further than they had done before, they expressed their opinion that the cases would stand together, and that they were not overruling the old law. But however that may be, we must look not to the new exposition of the law, but to the decisions on which the charities relied. They relied on decisions which have been recognized by all the courts; and now, by the judgment of the House of Lords, the decisions of 100 years have been overthrown. I do not disagree with the judgment that has been given; but I think it right, in order to confirm what I have stated as to the consequences, to refer to what was stated by Mr. Justice Byles, who differed from the other Judges who advised the House of Lords, and who thought that the cases are reconcilable, and that the Mersey Docks ought to be exempt on the ground that there was no one who had a beneficial occupation. Mr. Justice Byles goes on to say—

> "If a dedication to public purposes be consistent with rateability, then for the future public hospitals like St. Bartholomew's Hospital, St. George's Hospital, the London Hospital, St. Thomas' Hospital, and other establishments of the like nature in the metropolis and throughout the kingdom, with a multitude of other public charities, become at once subject to poor rates. Lunatic asylums, like St. Luke's or Bethlehem in the metropolis, and county lunatic asylums also become assessable at their letting value; though in many instances the exemption of such institutions is recognized by Acts of Parliament, providing that land taken for the purpose shall retain its rateability to the extent of the value of the land without the buildings upon it."—[*Law Journal*, vol. xxxv.]

Now there is another point to which I wish to call the attention of the Government. Is the value of these institutions to be taken at what they are worth as institutions, or as what they would fetch as houses in their present situations applied to other purposes? Supposing you were to value some of these buildings for warehouse purposes, the rating would become enormous, and the pressure so severe that it could not be borne. Therefore you have not only to look at the question of rating, but whether the rating shall be on this hypothetical value. Mr. Justice Byles went on to say—

> "Property is to be rated not at what a tenant does give, but at what he would give for it in its actual condition (6 & 7 *Will.* IV. c. 96). County gaols, county reformatories, county courts, and courts of justice, not only in counties and cities, but in the metropolis also (not, indeed, in Westminster Hall, because that is one of the Queen's palaces), may become rateable. The property of the Crown, in the occupation of the Crown, will no doubt still be protected from rateability; but old questions now at rest will re-appear as to other buildings occupied for public purposes, like the Horse Guards, the Admiralty, many buildings and residences at Portsmouth, Plymouth, Chatham, Milford Haven, and Greenwich, the British Museum, the National Gallery, Greenwich Hospital, the Custom House, the General Post Office, burial-grounds, many of the apartments in Somerset House, the premises occupied by the Poor Law Commissioners and other public bodies, public bridges, public turnpike-roads, and the soil of many navigable rivers, if not of public highways themselves."

Now, when a Judge of great ability and legal knowledge like Mr. Justice Byles expresses such opinions, I think I am not wrong in calling the attention of the House to the subject, and impressing on the Government the necessity of taking some steps to place rating on an equitable basis. It is true the property of the Crown is exempt, on the ground that the Crown is not mentioned in the statute of Elizabeth. But how far has that doctrine been carried? It has been carried out not only where the Crown is in actual occupation, but in cases of occupation for public purposes. All county courts, police-stations, everything used for public purposes in connection with the State, have been brought under the exemption. But, according to Mr. Justice Byles, the question will now arise whether they shall be exempt from rating or not; and, therefore, unless some intervention takes place on the part of the Government, we do not know to what extent the decision may go. Now, with respect to what was intended by the statute of Elizabeth. It never could have been meant that charitable institutions should be rated, for it is remarkable that while the statute of Elizabeth provides that funds for the poor are to be raised by the taxation of every inhabitant, occupier, &c., it was provided by a subsequent clause, the 15th, that the

> "Surplusage of the rates should be distributed by the justices for the relief of the poor hospitals in the county, and of those that should sustain losses by fire, water, the sea, or other casualties, and to such other charitable purposes for the relief of the poor."

It is pretty obvious that, inasmuch as this allusion is made to charitable institutions, which, so far from paying rates, were to receive the surplus of the rates, the intention of the statute of Elizabeth could not have been to rate charitable institutions. A gentleman of great intelligence waited on me the other day with respect to one of the hospitals in the metropolis. It is an institution of which it cannot be said any one party is more interested in it than another. It extends its benefits to persons of all creeds and opinions; it is an institution which all may concur in supporting. The locality in which it is situated derives the utmost advantage from it, and its benefits extend much beyond that locality. King's College Hospital is entirely dependent on voluntary contributions. It raises, with great difficulty and by special appeals, a sum of £9,000 a year. That sum is not sufficient for its support; and I believe that those who are connected with its management have often to find from their own resources the means of meeting the deficiency. It stands in the parish of St. Clement Danes, and gets from the parish I understand only the small subscription of from £3 to £6. Such a sum is wholly insufficient to meet the expenses of the relief given to the sick poor of that particular parish in and out of the hospital. In 1858 the in-patients from St. Clement Danes were 317, and the out-patients 5,719. All these persons were attended gratuitously in that parish by this hospital. The rent charged by the parish for the ground on which the hospital stands is £240 per annum. The parish derives enormous benefit from the hospital, and these benefits are extended to St. Giles's, other neighbouring parishes, and to the public generally. Since the decision of the House of Lords it has been proposed to rate the hospital. The rating will amount to about £250 a year. How many persons will you deprive of the benefits conferred by the hospital by the imposition of this rate? Persons who contribute voluntarily to these institutions are anxious that their money shall go direct to the objects of the charity, not to the payment of rates and taxes; and many contributors, when they find that any deficiency arises from the imposition of the poor rate, will not be so ready to contribute to the payment of that deficiency, when they have their own rates to pay. All these institutions are conferring a benefit on the public; and the question is whether you are going to change the exemption from rating and load them with taxes at a moment when there is a great demand for them, and when their funds will barely meet their expenses. I do not wish to confine my remarks to hospitals. The principle of the law is that where the occupier has no distinct benefit, and the object is the public good, these institutions should be exempt. And I think the principle is a good one. It is a good thing that charity schools should be exempt. So also with respect to reformatories, industrial schools, and other similar institutions. I speak in no sectarian spirit. The British and Foreign Schools are now as liable to be rated as the National Schools. I would call attention to this fact—that Parliament itself in these latter years seems to have recognized these exemptions. By the 6 & 7 *Will.* IV. churches and chapels are exempt. Before that time they were only exempt where the pews were not let. Where there was a beneficial occupation they were rated. Parliament went further, and exempted dissenting chapels used as schools. I know that in the case of schools where payments have been made it has been held that there is a beneficial occupation, and on that occupation rates have been laid. For instance, in the case of a Quakers' school it was held that it could not be treated as an institution for public purposes because a payment of £12 a year was made for pupils, and so a direct benefit was received from it, and the institution was not exempted. But, in addition to this, there is a most material circumstance to be considered if the law is to remain in its present state. For what is the case with respect to statutable exemptions? In many instances canal companies, gas companies, persons who have reclaimed land, are exempted from liability beyond what that property was subject to at the time it was first taken for their purposes. In many cases such land has become of enormous value. The London Gas Company possess land of immense value, and the rating is very low on account of statutable exemptions, many of which exemptions were given because it was supposed the property was to be used for public purposes. I wish to ask the House whether scientific and literary institutions are to stand upon a better footing than those great charities or not? They are exempted by statute. For instance, there is the Linnæan Society, which is a most excellent institution and most useful—is that to be put upon the footing of charitable institutions such as I have described — hospitals, schools, reformatories, asylums, and institutions of that nature? Again, there is a literary institution and library society at Bradford, which seemed to me to be very like a reading-room, and that is exempted from rateability under the statute which exempts literary institutions. How can the Government allow that state of things to continue while charities are rated? Now I have detained the House more than I originally intended, but it was difficult to explain what I wished without going rather into detail. I would sum up what I have said in this way. By the statute of Elizabeth occupiers were to be rated in respect of their occupations of property; and the interpretation which from the beginning up to the decision of last year has been put upon that occupation must be that it is what is termed a beneficial occupation. That interpretation was confirmed repeatedly, and especially by the decision of Lord Mansfield, which has been followed up by one continued current of decisions exempting all those charities of the character I have referred to, with exceptions which were made upon grounds not supposed to affect those decisions, up to the period when Lord Campbell became Chief Justice of the Queen's Bench. Lord Campbell took a strong view with respect to exemptions, and in his opinion exemptions were not justifiable, or, at all events, not politic. He took a stringent view of all cases of exemption that came before him, but even under those circumstances I am not aware that in any case of a distinct charity, where its appropriation to public purposes was the main and distinct object, and no private benefit was sought, he overruled the decisions that were up to that time in force. The Mersey Docks, no doubt, stand upon a different footing. It may be fairly argued that there is a distinct beneficial occupation, because the trustees raise funds upon bonds, and levy tolls or rates to pay the interest. There is, therefore, a distinct beneficial occupation in raising money to pay off debts which they had contracted. But the decision of the House of Lords recognized no such distinction from charitable institutions, for Lord Westbury, in giving his judgment, called the attention of their Lordships to the question of the manner in which public charities might be affected by their judgment. The noble and learned Lord said—

> "Independently of the decided cases—several of which are irreconcilable with each other—it would seem easy to answer this inquiry; and having regard to the Parochial Assessment Act it may be said, in answer, that 'Occupation to be rateable must be of property yielding, or capable of yielding, a net annual value—that is to say, a clear rent over and above the probable average cost of the repairs, insurance, and other expenses, if any, necessary to maintain the property in a state to command such rent.' It is in this sense I understand the words 'beneficial occupation,' whenever it is said that to support a rate the occupation must be a beneficial one. For on principle it is by no means necessary that the occupation should be beneficial to the occupier. It is sufficient if the property be capable of a clear rent over and above the necessary outgoings. So trustees who are in law the tenants and occupiers of valuable property upon trust for charitable purposes, such as hospitals and lunatic asylums, are in principle rateable, notwithstanding that the buildings are actually occupied by paupers who are sick or insane."

So that any building or any occupation capable of producing rental is, in Lord Westbury's view, subject to being rated. Does not the principle extend to Crown and Government property? For instance, officers at Woolwich occupy houses taken by the Government for their use, and they are exempted from rateability because they occupy as the servants of the Crown, the Crown itself being considered the real occupier. Now, it may be said that this is a hardship on the parish, and it becomes more so if the exemption, on the ground of public good, be done away in other cases; but I will say nothing more about the Crown property. With regard to charities, the benefits they confer more than make up for any little loss they inflict on the parishes; and so with hospitals, the direct benefit they give to the parishes more than compensates for any rates which the parishes might obtain. If those charities, such as hospitals and infirmaries, are not to be exempted, while they take in poor people from the parishes, the time may come when it will be necessary for the trustees or managers to say, "We are paying rates, and you must pay us for your paupers, if they come into our hospitals and infirmaries." Under the circumstances I have pointed out, I believe that legislation upon the subject is necessary to prevent litigation, if the judgment of the House of Lords in the Mersey Dock case is not conclusive on the point; and, if it is conclusive, then legislation is equally necessary, in order to do away with the statutable exemptions to which I have directed the attention of the House, and which ought not to exist, as they never would have been granted except on the supposition that Lord Mansfield's and the subsequent decisions were in force. I will, in conclusion, ask the right hon. Gentleman the President of the Poor Law Board, Whether the rating placed on these institutions, to which I have referred, has been placed upon them at the instance of the Poor Law Board; whether the Poor Law Board, subsequently to the decision of last year, sent out any instructions to parochial officers, calling upon them to rate those charitable institutions; if so, whether they have any objection to lay those instructions upon the table of the House; whether they are prepared to legislate with a view of putting rating generally on a fairer footing, and of applying some better principle than that of a hypothetical tenancy; and lastly, are they prepared to exempt charities; and, if not, are they prepared to repeal the statutory exemptions to which I have referred in the course of my speech?

MR. BAZLEY said, he hoped that full consideration would be given to the points submitted to the House in the statement just made by the hon. Member. He quite concurred with the hon. Member, that the rating of these institutions had a chilling and prejudicial effect on the voluntary principle of charity which prevailed in this country. To illustrate the probable operation of the law as it stood under the late decision, he might instance the case of certain charities in Manchester rated at the value of £6,000 yearly, which would become liable to local taxation to the amount of £1,000; a result which would be regarded with anything but satisfaction by the inhabitants of Manchester. That was a large sum to deprive charitable institutions of, when it was recollected that of the 50,000 children wandering about the streets of that city they had succeeded solely by voluntary efforts of charity in rescuing 20,000 from ignorance and crime. He hoped the Government would give the matter their serious consideration, and that they would not thus check the efforts of charity which was doing so much to subdue crime.

MR. LOCKE desired, in consequence of the observations of the hon. Member for Manchester (Mr. Bazley), to state that a very different opinion on the subject was entertained a few years back. When the late Mr. Sotheron Estcourt was President of the Poor Law Board, and the hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy) was Under Secretary of the Home Department, a Committee was appointed to inquire into the propriety of rating Government and other public property. At his (Mr. Locke's) suggestion, the inquiry was extended to all public property; and the Committee, which was presided over by the late Mr. Wilson, agreed to a Report which recommended that not only Government property, but the property of all public institutions should be rated. Upon that recommendation Mr. Sotheron Estcourt introduced a Bill for the purpose of rating all public property whatever, including Government property, hospitals, and every description of place throughout the country. That was considered a right and just principle. It was obvious that if they exempted a public building or hospital, the inhabitants of the parish in which it was must pay a larger proportion of rates. The word "occupy" had been twisted and turned about for many generations. At last a decision in regard to the rating of hospitals had been given by Lord Westbury, who certainly was in the habit of looking things full in the face. That eminent man was very much like Lord Abinger, who frequently remarked that he would throw on one side all the decisions of the Courts of Law, and that he would judge for himself. Lord Abinger, on many occasions, set aside a number of decisions, and his judgments were subsequently discovered to be perfectly correct; and there was no doubt that the decision of Lord Westbury would be found equally right. The Governors of the Mersey Docks appeared to be a class of people who derived no benefit from them. They had borrowed a large sum of money, and out of the tolls levied on vessels entering the docks the interest on the loan was paid. It was evident that, where buildings in a parish were exempt from paying rates, those levied upon the other houses must be higher than they would be if there were no exemption. This was the principle laid down by the Government of Lord Derby; and he would ask his right hon. Friend the President of the Poor Law Board whether some amendment in the law with regard to this matter was not required. Should legislative proceedings be taken, he would press upon the Government the advisability of considering not only the poor people in the hospitals, but the poor people out of them. Bethlehem Hospital, alluded to by the hon. Member for Oxford, was allowed to go scot free. When the matter came before the Court of Quarter Sessions for Surrey, he was then practising at those sessions; but ever since the exemption of that institution from liability to pay rates, a large number of people in the parish in which it was situated had been unceasing in their complaints of the injustice which it occasioned. This was a point which ought to be considered; and he had made these observations in order that both sides of the question should be brought under the notice of his right hon. Friend the President of the Poor Law Board.

Mr. C. P. VILLIERS said, that the apology of the hon. Member for the University of Oxford (Mr. Gathorne Hardy) for having entered further into the subject under discussion than he had intended was unnecessary. But he might complain a little of the hon. Member's procedure. Not quite understanding the nature of his Question and the course he intended to pursue, he (Mr. Villiers) had asked him whether it was his intention to impugn the judgment lately given in the House of Lords, and deal with the argument in that case; because, had he understood that this was his determination, not having had the opportunity of seeing that judgment, he would have asked him to postpone the Question till a future night. The House, however, had heard the hon. Member, who had come well prepared with his subject, and taken issue with the House of Lords in the judgment it had pronounced. [Mr. Gathorne Hardy: I stated distinctly that I agreed with it.] The agreement was rather extraordinary, because the hon. Member had only referred to the single Judge who differed from the House of Lords, and he had also to a certain extent impugned their judgment; for he said that its results must be unjust and would operate inequitably. The hon. Gentleman had not, however, mentioned that the House of Lords in this matter sought the assistance of the Judges—a course but rarely adopted—and that it was after hearing their opinions—united, with one exception — that the House of Lords unanimously confirmed the judgment now impugned, or rather complained of, by the hon. Member. He would therefore ask the House to view this case as one that had been decided by the House of Lords, as one that had already been decided in the courts of justice, where the Judges had refused to decide against the judgment of the House of Lords. It was what was termed a legislative exposition of the statute of Elizabeth, at once putting an end to all the questions on this subject that had been so frequently raised before the courts. But this was not all that he had to complain of. The hon. Member had stated that the House of Lords had reversed the current of decision and of all the judgments of previous authorities for more than a century—an assertion which was not correct as to the period of time. If the hon. Gentleman will refer to that judgment he will find that all the decisions during that period of time had been reviewed and were found to be exceedingly conflicting. Until this judgment was delivered the question as to whether charitable institutions should be called upon to pay rates had never been settled. Looking at the enormous evil that arose from the uncertainty of the law, and the injustice perpetrated by the exemptions of certain premises from the liability to pay rates, so far from the introduction of the subject to the highest court of the country being a misfortune, as the hon. Gentleman would seem to imply, he (Mr. Villiers) believed that great convenience and great advantage had resulted therefrom. It was very important that the House should understand, not that the law was unjust, and that fresh legislation was requisite, but that there had been a misconstruction of the law, and that all exemptions were but privileges and favours. And this decision of the House of Lords was in conformity with the opinions expressed by all the highest authorities during a century. The Judges had never slighted Lord Mansfield's authority; they had always treated it with the greatest respect. Lord Ellenborough, Lord Tenterden, Chief Justice Tindal, and Lord Campbell, always referred to the opinion of Lord Mansfield with deference, but at the same time they disagreed with his decision. He did not say that those learned Judges had given judgments in opposition to that of Lord Mansfield; but had they been called upon for their opinion it would have been different from that of Lord Mansfield. The hon. Member now asked the Government whether any orders had been issued by the Poor Law Board directing parish officers to rate buildings used for charitable purposes. To his (Mr. Villiers') knowledge no such instructions had been sent; but questions had been sent to the Poor Law Board respecting the judgment of the House of Lords; and the answer given by the legal adviser of the Board was that nothing could be more clear, conclusive, and satisfactory, and that property which had hitherto been exempt would be exempt no longer. He did not think that the hon. Member had made out any case in favour of legislative exemption. Those institutions were endowed, and the endowments frequently assumed the form of landed property. Now, there was no reason why this should be exempted more than any other landed property. The hon. Member stated that, in consequence of the practical operation of the decisions of the courts, and the exemption of these institutions, other societies had been relieved from their burdens by statutory exemption; but he did not know from what source the hon. Member obtained his information. It certainly could not be from the debates which had taken place in that House. A few years ago a proposition was made, at the early establishment of literary societies, Athenæums, and mechanics' institutes, that these societies should not be made liable to the rates, but he did not think that the hon. Member would find in the debates on the subject any reference to charitable institutions. The statutory exemption which was then granted was, however, not extended when application was subsequently made to the House, because such an extension was objected to upon principle. He would mention another consideration which he thought ought to weigh with the House. A few years ago Committees were appointed in both Houses of Parliament to inquire into this matter, and those Committees were composed, as would be seen by reference, of the highest in authority, and the most respectable Members of both Houses of Parliament. Both Committees strongly recommended the abolition of all exemptions; and this view was especially insisted upon by the Committee, composed of Members of the House of Commons, which was presided over by the late Sir George Lewis. They regarded those exemptions as faulty in principle, as tending to litigation, and as bearing unfairly upon the ratepayers in general. Nothing, in fact, could be more clear or distinct than the decision of both Committees. The question was whether, now all this uncertainty and expense of litigation, and all this injustice towards the ratepayers were about to cease in consequence of the decision of the House of Lords, it would be wise to propose to the House of Commons the reversal of a decision which was likely to be attended with such satisfactory results. Nothing could be more comprehensive than the statute which had been referred to. In answer, therefore, to the Question of the hon. Gentleman, he might say that the Government had not at present any intention of introducing any measure upon the subject. It could not be done without creating great confusion and doing much injustice; and if there were cases such as the hon. Member had referred to that evening, it would be better if the hon. Gentleman sought relief from the State or from the House in another form, instead of attempting to do so by a course which had been shown to give rise to much injury and injustice.

INADEQUACY OF OUR NEUTRALITY LAW.—OBSERVATIONS.

MR. LABOUCHERE rose to call the attention of the House to the inadequacy of our Neutrality Law to enable us to fulfil our International obligations towards Foreign countries, and said, that having passed ten or twelve years in the diplomatic service, he had given some consideration to the subject of International Law, and he believed that from defects and inefficiency our existing Neutrality Law was not only fraught with future danger to ourselves, but was calculated to prevent us from acting justly towards our allies. The unfriendly feeling which to so large an extent existed in the United States towards this country owed its origin chiefly to the losses which American commerce had suffered, arising, as the Americans believed, from the inadequacy of our Neutrality Law; and this ill-feeling he believed to be the groundwork of that tacit sympathy with Fenianism which existed in the States of that country. Naturally irritated at the losses inflicted by Confederate cruisers, the American Government, while the war was yet going on, had several times called upon Her Majesty's Ministers to propose an alteration in the law. That demand was refused, and refused, he believed, rightly, because it would not have been consistent with absolute impartiality between the two belligerents to alter a law which, under the then existing circumstances, affected only one of them. Moreover, Her Majesty's Ministers would probably only have made matters worse by asking Parliament to alter the law; because he believed that, owing to the strong Confederate feeling which then existed, the House of Commons would have refused to make the required alteration. There was also a strong objection always latent in the minds of Englishmen to do anything which savoured of yielding to the bidding of a foreign Power, especially when the request was made in language rather menacing than conciliatory. But the circumstances were now widely different. The war was now over, and the passions which that conflict had aroused had had time to subside. They had refused, standing more on technical right than acting on a sound and generous policy, to consider the claims made by America for compensation, or to refer those claims to arbitration; and he believed that the period had now arrived when a law productive of so much evil ought to be revised, not only in the interests of this country, but also with the view of promoting international morality. Whatever might once have been the state of public law in Europe, there was now an international obligation laid upon every State to prevent its subjects from engaging in acts of hostility against any Power with which their own Government were on terms of neutrality; and it was an act of hostility to fit out in a neutral State a ship to prey upon the commerce of a nation with which the Government was at peace. This was not always the law, because the subjects of a State at peace used formerly to enter in great numbers the service of foreign Powers engaged in war; but that state of things had disappeared with the notion that war was the normal condition of the human race. He knew that there were gentlemen who believed that there was no difference between a gun and a ship, and that trading in both ought either to be equally forbidden or to be equally allowed. Intrinsically, perhaps, there might be no difference if both were delivered at the port of a belligerent. The distinction lay in the place of delivery. Supplying arms to a belligerent Power could not be constituted an act of hostility until the delivery had been effected at the port of the belligerent Power; but directly a ship armed and equipped for the purpose of preying upon the commerce of a nation with which we were at peace left our ports, its sailing might be regarded as an act of hostility. As a belligerent Power could not, of course, prevent the sailing of such a ship from a neutral port, international obligations had imposed upon neutral nations themselves the necessity of restraining their subjects from infringing them. That was the doctrine which usually obtained among nations at the present time. At all events, it was the doctrine to which both English and American statesmen had pledged their respective countries. He did not think it would be difficult to show that this was the case. For instance, when in 1793 we asked the United States to prevent vessels of war leaving their ports for the purpose of cruising under the French flag against our commerce, we based our demands upon international obligation. And, again, in the discussion which took place before the passing of our Foreign Enlistment Act, in 1819, Lord Castlereagh used the following words:—

> "It is a duty which we owe to Spain and to our own honour, while we profess to be at peace with her, not to allow ships of war to be equipped in our ports, or allow armaments to sail from them against her."

In America the same doctrine has been always held. General Washington's Proclamation, enjoining neutrality to American subjects, preceded the passing of the

Neutrality Law through Congress, and when certain persons were prosecuted for having infringed that Proclamation, and pleaded that they had not violated the law of the land, they were told by the Judge who tried them that they had violated a law which had been in force long before the existence of the United States. The municipal law of neutrality both of America and of England was, in fact, only an embodiment of the international obligation. The law proceeded from the obligation, and not the obligation from the law. Now, how had we fulfilled this undoubted obligation during the last few years? He would only allude to one or two cases in order to point out where, in his opinion, our law was defective. The incidents of the escape and career of the *Alabama* were known to every hon. Gentleman in that House. In the report of the Board of Customs it was admitted that the American Consul in Liverpool had frequently warned them of the destination of that vessel, and of the hostile purposes to which she was to be devoted; but they stated that they were unable to act because they possessed no legal evidence as to its destination. Now, if our law had been the same as that of the United States, the *Alabama* would never have quitted our shores, for in the United States the Executive were empowered to order a precautionary embargo in cases of suspicion, even when there might not be sufficient evidence of the real character of the vessel to render a conviction probable. The case of the *Florida* was very similar to that of the *Alabama.* The Attorney General, in alluding to the action of the authorities of Nassau in that case, made use of these words—

> "We may have reason to believe it to be true [meaning the alleged destination of the vessel], but to say that we are to act upon strong suspicion against another State on certain facts which have never been judicially established, is a proposition not to be accepted without grave consideration."

Now, these two vessels having escaped from our jurisdiction, and having been commissioned on the high seas as ships of war, had afterwards put into our ports, where they were received in every respect like ordinary vessels of war. The Attorney General, indeed, stated that to make a difference between them and other vessels of war would be a preposterous thing. Earl Russell, however, alluding to the two ships, said that they were a scandal and almost a reproach to English law. The inefficiency of the present law more clearly appeared from the course adopted by Her Majesty's Government in the case of the steam rams built by Messrs. Laird. There was no reasonable person, except perhaps the builder, who doubted for one moment that those vessels were to be paid for out of funds provided either directly or indirectly by the Confederate Government, and that they were intended to act as Confederate ships of war; yet so vague, loose, and inefficient was our law that the Government was obliged at the last moment to compromise the matter by purchasing the rams. The phraseology of the statute was altogether unfitted to be applied to the inventions of late years; and, indeed, it was so framed that it invited evasion. The Courts of Law, too, had so involved such questions as, "What is fitting out?" and, "What are vessels of war?" that no layman could venture to offer an opinion on those and similar subjects. If half-a-dozen lawyers were taken at random, and asked whether, under the words of the Act, a steam ram intended for service against a neutral Power might quit our shores, there would, he believed, be great diversity in their opinions. Then there was one case which the law never contemplated—namely, a vessel of war being sent out piecemeal from our ports, the ship from one port, the guns from a second, and the ammunition from a third, and being put together on the high seas. Did not these things show that our law was inefficient to prevent English subjects from engaging in hostilities against foreign countries? Earl Russell had said that the law was a scandal and a reproach; while the United States had stated that they had lost millions through its inefficiency. He submitted to the House that the obligation was clear, and that the non-fulfilment of the obligation was equally clear. Ought we not, then, to alter the law? Was it consistent with our true policy to reply to those who suffered from its operation simply by making counter-accusations? The country which in the long run would suffer most from the present state of the law would be England herself, because she had the largest carrying trade. Suppose we were to go to war with Paraguay, which had no seaboard at all, what would be the consequence? Why, swift gunboats would issue from almost every port of the United States in order to prey upon our commerce, and the rate of insurance of British vessels would become so high that no merchant would ship his goods in an English bottom. Even supposing, however, that we never went to war, it might happen that two other great countries—such as France and the United States, for example — might at some time or other be engaged in hostilities against each other. In such an event much angry feeling would arise, many angry despatches would be written, and accusations and counter-accusations would be bandied from one side to the other, and very possibly we ourselves should be dragged into the war. Now, he could hardly venture to recommend to the Government any particular course of policy; but he thought that if a provision were introduced into our law similar to that which existed in the United States, permitting the Government to make precautionary arrests in cases of suspicion, that would do much to strengthen the law, and put us in a better position in regard to foreign Powers. He was, however, of opinion that privateering would never be altogether crushed out until by an exchange of diplomatic notes or by some conference all the great maritime Powers were induced to make a declaration on the subject like that of the Treaty of Paris. The wings of future *Floridas* and *Alabamas* would then be effectually clipped, and the good relations which ought to subsist between nations would no longer be at the mercy of shipowners or speculators.

Mr. ROEBUCK said, he had hoped that our diplomatic body abroad were better informed on International Law than now appeared from the speech of the hon. Member. First of all, the hon. Member told the House that the morality of Europe had changed, and that the citizens and subjects of one State were not allowed to become warlike instruments in another. Had the hon. Member never heard of the Federal army? Was not that army composed to a large extent of British subjects? Was it not the fact that a very large number of Irishmen went to America, enrolled themselves in that army, and fought for the Federal cause, and had now returned, calling themselves American officers and appearing as Fenians in Dublin? The next statement the hon. Member made was that the United States law allowed the Executive to put their hands on and pounce on ships building, on arms and equipments, without sufficient evidence. He denied that altogether.

Mr. LABOUCHERE: Has the hon. and learned Gentleman ever heard of the case of the ship *Maori?*

Mr. ROEBUCK said, he denied the statement of the hon. Gentleman as a matter of law. He knew that the Attorney General stepped in and prevented certain rams built by Messrs. Laird from going to the assistance of the Confederate States; but there was no difference between the law of England and America as to the treatment of neutral States. Now, he wished to know how it was possible to prevent such transactions as those that had been referred to. The hon. Member said that ships of war were sent out piecemeal, the body of the vessel from one port, the equipment and guns from another, and the powder from another; and he (Mr. Roebuck) would ask how it was possible, except on evidence, clear, definite, and indisputable, for the Executive in a constitutional country like this to put their hands on a transaction of that kind? The hon. Member had alluded to the possibility of England being involved in a war at some time or other. Well, we had incurred that danger before, and we must incur it again. The Executive ought to be warned against taking upon itself such dangerous powers as those suggested by the hon. Member. England depended on her mercantile enterprize and on her power to supply other countries with whatever they required, whether it was to build ships, to make gunpowder, or to cast cannon for them; and so did the United States. The whole civilized world did the same thing. And he would recommend to our Government not to attempt to acquire more power in that matter than they at present possessed. They had power enough to prevent the occurrence of any great mischief, and they ought not to endanger the security of our great merchants and artificers by any new proceeding. He confessed that he did not like a discussion of that sort upon an occasion like the present. They should recollect that a great and gallant people had recently made a great stand in defence of what they thought were their national rights, and that gallant people had suffered cruelly from the struggle which ensued. Things had been done in the course of the American contest that would have disgraced Tilly or Wallenstein; and the House was now asked to call upon the Government to take steps that would in some way throw discredit upon that gallant people. He did not deny that all his sympathies were in favour of the Southern States of America. The Federal army was made up of men very much like Dugald Dalgetty. They had conquered—he wished them joy of their conquest; but they were not yet a re-united people, and he hoped they would not become one.

MR. LAING said, he was reluctant to keep the House from business; but as a question of that great importance had been raised he should be sorry that the discussion should terminate without any expression having been given to an idea which he knew to be widely entertained in commercial circles with respect to the only satisfactory mode of solving the difficulty. He believed that the only satisfactory settlement of the question would be found in an agreement on the part of the civilized nations of the world that all private property at sea should be placed upon the same footing as private property on land. The rule with regard to private property on land was clear, distinct, and definite; it was that it should not be subject to capture and destruction unless for *bonâ fide* belligerent operations. A difficulty might, of course, arise in the interpretation of that rule—it would practically be found difficult to draw the precise line; but the principle was clearly directed against the arbitrary and wanton destruction of private property. In what respect did the capture of private property at sea differ from the capture of private property on land? Why should a captain at sea receive bounty and promotion for the capture of private property while a colonel on land would be cashiered for a corresponding exploit? It should be recollected that the principle to which he then referred had been advocated by the Government of the United States at the Congress of Paris; but our Government then declined to accede to the proposal, and had thus lost, as he thought most injudiciously, the opportunity of establishing a rule which would have been of the utmost value to this country. There could be no doubt that after what had passed during the late contest in America, we should be at the mercy of any maritime Power with which we might enter into war. It would be impossible for us to engage in such a war without exposing our great mercantile marine to destruction. The operations of the *Alabama* had caused one-third of the whole tonnage of New York to be transferred to foreign flags; and what, he would ask, would be our position with 100 *Alabamas* issuing from a variety of ports to prey upon our commerce? The whole of our maritime commerce would be transferred to the flags of insignificant neutral States, such as Belgium, Holland, Norway, and Sweden, under which alone it could be safely carried on. Considering the immense interests which we had at stake in that matter, he hoped that Her Majesty's Government would turn their attention to the question for the purpose of seeing whether it would not be possible to repair the great mistake we had committed at the Congress of Paris, and, if that were not possible, for the purpose of establishing by some other means a new principle worthy of the civilization of the modern world.

MR. SANDFORD said, that the hon. Gentleman who had just addressed the House had stated that private property on land was exempted from the ravages of war. But he (Mr. Sandford) wanted to know whether the hon. Gentleman had read nothing of Sherman's march, or of the devastations committed by Sheridan during the recent contest in America? Did he believe that private property on land had been respected by those officers? Why, a system of destruction of private property had been carried on by the Federal generals, which was, he believed, unparalleled in the previous history of the world. But he thought that the hon. Gentleman the Member for Windsor (Mr. Labouchere) was justified in bringing the subject under the notice of the House, because it was somewhat of a scandal that our Neutrality Laws should remain in their present position. What could be worse than our Foreign Enlistment Act? The Judges of the land were divided in their interpretation of that Act; and as the case at present stood, the decision of the Court of Exchequer was opposed to the act of the Government and of the Attorney General. Under these circumstances, it appeared to him that Her Majesty's Government should have announced, in the Speech from the Throne, some intention on their part of introducing a measure for the purpose of making the law upon this subject clear and definite. He believed that most people were of opinion that the law had been somewhat strained when the vessels referred to were seized by the Government; and he thought that the law ought to be placed in such a position that it should not be strained by any

Government, in order to enable them to fulfil their international obligations. But what he should prefer to any mere action on the part of Her Majesty's Government, would be to see some International Congress summoned, at which the great maritime Powers might agree upon some common principle which they might afterwards embody in their municipal legislation. If any measure of that kind had been proposed during the late struggle, he should have offered to it the most determined opposition, because he thought it would be derogatory to the integrity of England to allow it to be supposed that she had altered her laws under the menaces of a foreign State, but no such objection could be made to our now taking up that subject; England did not fear Chili or Peru, or even Spain, and he believed that the present moment was most favourable for considering the question, for the American Government were at present showing an intention of acting fairly, honourably, and justly in its dealings with foreign Powers. He thought that the papers which had been laid before that House, and before the French Chambers, clearly indicated that Mr. Johnson, the President of the United States, was most anxious to fulfil the international obligations of that country; and as he (Mr. Sandford) had never been a partizan of Mr. Johnson, he was only too happy to take that opportunity of offering him the humble meed of his praise. Mr. Johnson had disappointed alike the prophecies of his enemies and the hopes of his friends, and he was now pursuing a course calculated to conciliate —if anything could conciliate—the unhappy differences which prevailed among his countrymen. He (Mr. Sandford) hoped that Her Majesty's Government would give some assurance that they intended to take that question in hand; and if they neglected to do so he thought it would be the duty of some private Member to force them to enter upon that course by some clear and definite Resolution.

Mr. SHAW-LEFEVRE said, he could not acquiesce in the view of the hon. Member for Maldon (Mr. Sandford) that a time of war was not proper for the consideration of these questions. At all events, they had usually been taken up in time of war. Our own Foreign Enlistment Act had been passed during the war between Spain and her colonies, and the United States had twice altered their Enlistment Act during the same war. The hon. and learned Member for Sheffield (Mr. Roebuck) said that there was no difference between the laws of the United States on this subject and our own. Now that was not so. There was a difference, and that difference had been repeatedly pointed out during the late war. In the year 1817, at the instance of Spain, backed by the remonstrances of this country, the United States altered the statute which had been referred to, and two important clauses were put in it, which were not to be found in our Act. The first provided that the owner of a vessel sailing out of the ports of the United States, and armed in whole or in part, should enter into bonds to the United States Government prior to clearing, that the said vessel should not be employed in hostilities. And the second clause empowered the officers of Customs of the United States to detain vessels manifestly built for warlike purposes, and whose cargo principally consisted of arms and munitions of war. He admitted that, under the latter clause, we could not have seized the *Alabama*. But if the hon. and learned Member referred to the history of the United States to see what was the cause of that statute being passed, he would find that it was in order to prevent the evasion of their Foreign Enlistment Act. The schemes for eluding its provisions were very different from those which were employed in our own case. In America vessels went out as merchantmen, but they carried arms as cargo, and when they got outside the jurisdiction of the United States, they took the arms from below, mounted the guns, hoisted the flag of the insurgent Republic, and sailed forth as privateers. He quite admitted that there was very considerable difference between such cases as those and what had taken place here. The Confederate Government sent their agents over here early in the war, and directed them to fit out privateers. These agents, as he happened to know, took the very best legal advice. The able lawyers whom they consulted, told them that it would be of no use whatever to send out vessels of war completely armed and manned; but if they sent out a vessel from one port, and another from another or the same port carrying its guns and men, and if they met on the high seas out of our jurisdiction, then the whole enterprize might be managed in that way, and our laws evaded. Well, the enterprize did succeed, and in this way there was done indirectly that which, if done directly, our laws would have prevented or punished. Following the example of the Americans we ought, he thought, to have altered our Foreign Enlistment Act, because it had proved to be only a delusion and a snare. The subject was last brought before the House in the debate on the *Georgia*, by the hon. Member for Huntingdon (Mr. T. Baring). It was the last occasion on which Mr. Cobden spoke in that House. The Government, through the Attorney General, refused either to alter the Foreign Enlistment Act, or to prevent the entry of those vessels into our ports. He refused, on the ground, first, that the Foreign Enlistment Act was sufficient, and secondly, if not sufficient that that was not the time to alter it. Subsequent events showed how very ill-advised that decision was, because at that very time the *Shenandoah* was being fitted out in our ports. The *Shenandoah* was fitted out in the port of London, and a vessel called the *Laurel* was sent out from another port to meet her on the high seas. There was not the slightest evidence produced to show for what the *Shenandoah* was intended. Mr. Adams did not know of it. Persons concerned in affairs of this kind conceal their doings by every possible means. When these two vessels got to Madeira they sailed to a desert island, called Desertas, and there in Portuguese waters, but still, he believed, utterly unknown to the Portuguese, they transferred the armament from the *Laurel* to the *Shenandoah*. The men were mustered on deck, and the captain said to them, "I don't intend to fight. Anyone can see this vessel was not made for fighting. I intend to run away rather than fight. My orders are to destroy the Federal commerce by destroying, as far as I can, the vessels that carry it." In pursuance of those instructions the *Shenandoah* burnt all the vessels it could find on its way to Melbourne. When it got there it was hospitably received by the authorities, and remained for something like three weeks. Repairs were executed, and eventually it sailed thence, having been enabled in the meantime to enlist some fifty or sixty men in addition to the crew it had already. Then it sailed to the Arctic Seas, burning on its way all the whaling vessels which it found, and putting the crews on shore among the savages. It then proceeded to Behring's Straits, where, long after the war was in point of fact over, it destroyed fourteen whaling vessels. The effect of that was to more than double the price of sperm oil—thus, by the way, affording an illustration of a law to which the hon. Member for Westminster (Mr. J. Stuart Mill) had called attention. Half the whalers were destroyed, and the price of sperm oil was more than doubled; the consequence of which was, as we were the chief consumers of sperm oil, the loss fell upon this country. The whalers themselves, having assured one another, did not realize the loss. Those who had sperm oil got more than double price, and those who had not were assured against loss. He happened to be in a shop the other day, when a clergyman came in to buy some sperm oil for a magic lantern for his school children. When he was told the price was more than double, he said, "Well then I cannot buy it, and my children must go without the magic lantern." The school children went without their night's amusement because of the burning of these whalers, which was the result of the inefficiency of our Foreign Enlistment Act. Now the question which remained was, what were we to do? Unless we acted in concert with foreign nations we could do little. Suppose we altered the Act as hon. Members had recommended, in what position should we be should we unfortunately be at war on some future occasion. Other nations would not take our law from our Foreign Enlistment Act, but rather from our conduct when we were neutral. And therefore, although he should like to see the Act altered, there would be no use in doing so unless we did it in concert with other nations, and especially the United States. He would rather not enter into the subject of our relations with the United States, because it involved questions with regard to claims which he would prefer not to deal with. At the same time, he hoped that the Government, notwithstanding the way in which they had refused to act, would entertain this question in view of the enormous importance to this country of having this law altered, and International Law on the subject clearly laid down. The hon. Member for the Wick Burghs (Mr. Laing) had adverted to the proposal entertained by the Congress of Paris for exempting private property on the high seas from capture; but one of the most important results of that Congress was the agreement that in all differences between two countries there should be arbitration. But it was on that very basis of arbitration that our Government absolutely refused to treat. He therefore hoped the Government would consider this question in view of its extreme importance. The view of the question taken by intelligent Americans was well expressed in the recent Message of the President to Congress. The President said—

> "The United States did not present the subject as an impeachment of the good faith of a Power which was professing the most friendly dispositions, but as involving questions of public law, of which the settlement is essential to the peace of nations; and, though pecuniary reparation to their injured citizens would have followed incidentally on a decision against Great Britain, such compensation was not their primary object. They had a higher motive, and it was in the interests of peace and justice to establish important principles of International Law. The correspondence will be placed before you. The ground on which the British Minister rests his justification is substantially, that the municipal law of a nation, and the domestic interpretations of that law, are the measure of its duty as a neutral, and I feel bound to declare my opinion, before you and before the world, that that justification cannot be sustained before the tribunal of nations.

He ventured to urge on the attention of Government the desirability of doing something to get rid of questions which, if they were allowed to remain open, might become a perpetual source of ill-feeling between England and America. The Government, he trusted, would not allow the present opportunity to pass by of satisfactorily solving a question which had already proved a source of such danger and difficulty. If they did, events might arise which would hereafter justify some one in saying to the Government—

> "This might have been prevented, and made whole,
> With very easy arguments of love;
> Which now the manage of two kingdoms must
> With fearful bloody issue arbitrate."

THE ATTORNEY GENERAL: Sir, I admit that the Question now before the House has been discussed in a temperate manner; and so far, whatever opinions hon. Members may have formed, I do not apprehend that any public disadvantage will arise from the discussion. The subject is beyond all doubt one of the greatest importance, and at the same time of no slight difficulty. It is of the greatest importance that the House should bear in mind what were the exact facts of the various cases bearing on the question which occurred during the recent unhappy war in America. The hon. Member for Windsor (Mr. Labouchere) is slightly in error when he says that the English Government was several times requested by the Government of the United States to amend the Foreign Enlistment Act; in fact, the very reverse of that statement would be nearer to the truth. It should be remembered that at an early period of the war the Government of this country, foreseeing that important questions of law might arise during the progress of the war, suggested to the American Government that the Foreign Enlistment Acts of both countries should be revised, and any amendments that might be thought necessary made in them. What was the answer made by the American Government to this overture of ours? Why, to use a homely expression, they threw cold water on it. They said that they had no objection to enter into the consideration of that question, if our Government desired it; but, for their own part, they were of opinion that their Foreign Enlistment Act required no amendment, and was perfectly sufficient for its purpose. Our Government could have no wish to introduce unnecessarily a measure which might not commend itself to the general opinion of the public; and I ask the House what position the Government would have been placed in if, after the receipt of such an answer as that, they had asked Parliament to add more stringent provisions to the Foreign Enlistment Act? The first question asked in the House would be, whether we had received any intimation from the American Government that it was, in their judgment, necessary or desirable to make corresponding changes in their own Foreign Enlistment Act. Parliament would, of course, have seen the correspondence on the subject, and would have seen that the Government of the United States saw no necessity for any alteration in their law. Then, of course, the question would have been asked whether the law of the United States was substantially different from our own, or whether our law was inferior in efficiency to the law of the United States; for if it was not, and if the United States Government thought their own law adequate, Parliament would scarcely have entertained the idea of altering it. Well, then, we must look into the law of the United States; and here I would observe that the view of it taken by the hon. Member for Windsor was hardly accurate. The hon. Member appears to think that the American Foreign Enlistment Act is far more stringent than that in force in this country. The hon. and learned Member for Sheffield (Mr. Roebuck) has already said that the views of the hon. Member were not quite accurate, and I must confirm that statement. Indeed, the hon. Member for Reading (Mr. Shaw-Lefevre), who has spoken to-night with his usual candour and ability, does not himself concur in the views of the Member for Windsor on that subject. The two sections which are supposed to bear out the opinion that the American law compels a stricter neutrality than our own, are the 10th and 11th sections of the Act of Congress passed in 1818. But those sections are applicable only to armed vessels, and ships manifestly built for warlike purposes, of which the cargo principally consists of arms and munitions of war — with which our own Act also is practically adequate to deal; and if exactly similar provisions had been contained in our Act they would have been inapplicable to such ships as the *Alabama*, the *Florida*, the *Georgia*, and the *Shenandoah*, none of which when they left this country were armed, or had any cargo on board consisting of arms or munitions of war. And I may ask when, in point of fact, has an armed ship or vessel been permitted to sail out of an English port to attack the commerce of the United States? No such occurrence has taken place. Of those two sections, the first enables security to be taken from

> "The owners of every armed ship or vessel, sailing out of the ports of the United States, belonging wholly or in part to citizens thereof."

The other section authorizes the detention

> "Of any vessel manifestly built for warlike purposes of which the cargo shall principally consist of arms and munitions of war."

Our Foreign Enlistment Act also strikes at such vessels, though by provisions of a different character; and no vessel of which it could be alleged that she was manifestly built for warlike purposes, and that her cargo mainly consisted of munitions of war, has been allowed to leave an English port. The late Lord Chancellor advised the Government, and so the United States were told, that our law was sufficient to deal with cases of that description. Under such circumstances, it was considered to be our duty to make the experiment, to wait and see whether the Foreign Enlistment Act would answer the purposes for which it was enacted, before asking Parliament to pass a new law on the subject—a course which would only have increased the difficulties of the situation if the proposition was not adopted —and the negotiation so coldly met fell to the ground. If we had persevered in that negotiation and failed it might have placed the relations between the United States and this country in a worse position then they were in, while we merely endeavoured to put in force the law as it stood. I will now state to the House what were the practical results of the course so taken by the Government. The information which might have justified the seizure of the *Alabama* reached the Government so late, that unfortunately we were not able to detain that vessel. But other vessels were afterwards detained. Admitting that our law is not perfect, still I must say that the Government were able, even by means of this imperfect instrument, to do more towards the suppression of armaments against the United States, than the United States were in former times able to do with their law. During the war of the States of South America against Spain the agents of the former Powers appeared, notwithstanding the exertions of the United States Government, to be able to set the law at defiance with impunity. A great number of armed vessels left ports of the United States to attack Spanish commerce, and in some instances actually returned into those ports with their prizes. Comparing what then took place there with what has taken place here under the recent circumstances, it is impossible not to see that the law of the United States then proved less efficacious than our own law. In the different breaches, or alleged breaches of the Foreign Enlistment Act which have taken place during the war, it will, I think, be seen that the Government did everything that lay in their power to secure the stringent carrying out of that Act. It is said that the Government were to blame for not being more prompt in their attempt to seize the *Alabama.* Most assuredly they acted with perfect good faith, and did not intentionally permit any delay beyond that which was necessary to enable them to make themselves masters of the evidence which would have justified her seizure. With regard to the *Florida*, she was not fitted out as a ship of war from this country, but at Mobile. With regard to the *Alexandra*, it is well known that she was twice seized—that the Judges in this country were divided in opinion on the question; and that at Nassau she was a second time acquitted. As to the steam rams, the Government did nothing illegal, as has been sometimes asserted. They gave notice to the builders that if they were removed from the Mersey in the way the *Alabama* had been removed they would be seized. They did afterwards seize them and were prepared to go into court with them. It is true that the Government thought proper to compromise those proceedings and to purchase the rams; and I must say that I think that the course then taken by the Government was a prudent one. If by any accident we had failed in a prosecution, and those ships had gained the seas, it is impossible to say what mischief such an occurrence might have caused in America, what passions might have been excited, and what risk might have been run in regard to the relations between this country and the United States. The Government seized those ships with the knowledge in their minds that the purpose for which they were intended was an illegal one; but, although they were in possession of evidence which they thought sufficient to entitle them to a verdict, it was not such as to perclude all chance of an opposite result. They, therefore, instead of proceeding to trial, paid, as the House knows, a large sum of money for those vessels in order to avoid all risk, and to prevent any cause of irritation between this country and the United States. The Government also seized the *Pampero* in the Clyde; and the fact is that in every instance—in every case with which even the United States Minister became acquainted, except that of the *Alabama*—Her Majesty's Government stopped the ships and prevented them from leaving this country. In the cases of the *Georgia* and the *Shenandoah*, it must be admitted that even Mr. Adams had not any information before those ships had left England. I have so far ventured to state the course taken by the Government, first, because I do hope that, when the aggravated feelings which arise from national calamities and national losses are allayed, our friends and neighbours on the other side of the Atlantic will be able to recognize in the conduct of Her Majesty's Government an honest and earnest desire throughout the war to maintain a strict neutrality, and to do their best to prevent any violation of the laws of this country. Last of all, I hold that our proceedings in this matter ought fairly to be measured by the standard of the success which the United States themselves met with, when endeavouring to enforce their own law under similar circumstances. Our success in preventing breaches of neutrality during the late war cannot be deemed slight or inconsiderable, if compared with that which attended the endeavours of the United States to prevent similar breaches of neutrality in former times. I will say only a very few words on a point put forward by the hon. Member for Reading (Mr. Shaw-Lefevre). He spoke in a manner which, I think, does him much credit. He spoke with a prudent reserve and with a due consideration for the true interests of the country, which certainly might not always be promoted by a free expression of all the opinions which hon. Members of this House may entertain. No one can appreciate more than I do the discretion of my hon. Friend, who in this case is, I am sure, actuated by those motives which I know actuate his mind on all occasions. The House must feel that in all cases where nations are concerned there are two principles which never must be lost sight of. One of these is that a nation must not compromise its own honour by allowing that there is a question of good faith to be submitted to arbitration when really there is none. It would be impossible to submit this case to an arbitrator without treating it as an open question, whether there had been a breach of faith and honour on the part of this country; because all must admit that if a nation has acted in good faith in such a case there can be no claim. Secondly, it cannot be denied that it would be a most dangerous precedent if any nation should hold itself responsible for evils which it could not prevent. To say that neutral nations should be responsible for all acts done by their subjects which the Governments of those nations cannot prevent, might, in many cases, be to throw on neutral nations a great part of the expense of maritime wars carried on by their neighbours. That is an assumption which cannot be admitted; and if there could be any case in which we should have good ground for adhering to those principles it must surely be when we are dealing with a great nation, itself of high honour and of good faith, which has always been most jealous in upholding its own Neutrality Laws, but which, to say the least, has not always been more successful in doing so than ourselves, and which on many occasions, over and over again, persistently and emphatically refused to recognize similar claims on the part of Portugal and Spain, and declined to submit those claims to arbitration. I think, with that example before us, we are well warranted in upholding these principles. But though I think we are entitled in this matter to take the same line which the United States took themselves, and though in my opinion we are entitled to hold that the refusal to entertain such a claim cannot be any just and abiding cause of displeasure on the part of the United States, believing as I do that we have solid grounds for that refusal; still, far be it from me to say that if the good feeling between the two nations only depended on money and not on a much more serious consideration, it might not be worth while to pay a very large sum rather than there should be any interruption of friendly feelings between this country and the United States. But this is not a question of money. Her Majesty's Government believe that a great principle of International Law and national honour is involved in this question, and it is upon that account, and not through any want of respect to a great nation, that we cannot admit the principle of those claims—a principle which might involve ourselves and all other nations, whatever may be our law, in endless claims and questions for all future time. Now, with regard to the future; almost every hon. Member who has addressed the House has felt the importance of dealing with this subject, not by ourselves, but in concert with other nations which have interests similar to our own. It would be, indeed, difficult —I do not say it would be impossible— to deal with it otherwise. Her Majesty's Government has been most desirous to consider this subject in friendly communication with the Government of the United States. I scarcely need remind the House that, as late as the 3rd of November last, Lord Russell wrote to Mr. Adams thus—

> "It appears to me, I confess, that, as neither the law of the United States nor our own Foreign Enlistment Act have proved upon trial completely efficacious, it is worth consideration whether improvements may not be made in the statutes of both nations; so that, for the future, each Government may have in its own territory as much security as our free institutions will permit against those who act in defiance of the intention of the Sovereign, and evade the letter of its laws."

Her Majesty's Government, I am authorized to say, still continue of the same mind. They are still most desirous to consider this matter in friendly communication with the United States; and it could be only an unfriendly counsellor who would suggest to the Government of that country that the time is gone by when such questions could usefully be considered. I venture to say that a policy founded on such advice would be a wrong and shortsighted policy. If, by well considered Amendments, the laws of both countries could be made more effectual, they would be delivered from many difficulties whenever a war took place. At present the United States may be placed in a difficulty by the war in Mexico and the war in Chili; and clearly it would only be fair to consider recent experience, because it is only experience which shows what the weak points are in matters of this description. It is experience which tells us in what our laws are defective, and in what they require alteration and amendment. I venture to say that if the United States Government would accede to the suggestion of Earl Russell, and enter into a friendly consideration of this question, we are in a far better position to deal with it now than if we had dealt with it without the full experience of the late war. If we had attempted to legislate on the subject during the earlier part of that war, I am perfectly certain that in practice our amendments would have been very imperfect, perhaps they might have altogether failed. It might probably have turned out that in altering we had made things very little better, and that we had endeavoured to amend with no good result. But the experience of these last years has been such as to enable us now to become pretty well cognizant of the sound and the weak points of our own Foreign Enlistment Act, and if we could only obtain the co-operation of other nations equally interested as ourselves, I should not despair of arriving at a sound and satisfactory result. I think the House will be generally of opinion with Her Majesty's Government that the subject is one of great delicacy and very considerable difficulty, and that it is one on which we should not enter without serious consideration: and that it is most desirable, if it be possible, to enter on it in concurrence and in friendly communication with other nations who have only a right to the same protection from our laws which we ourselves receive from theirs.

RAILWAYS (IRELAND): METROPOLITAN RAILWAY SCHEMES.

QUESTION.

GENERAL DUNNE, in rising to put a question relative to the Report of the

Railway Commissioners, said, that since he put his notice on the paper he had been told it should have been addressed, not to the Chancellor of the Exchequer, but to the noble Lord the Member for King's Lynn (Lord Stanley), the President of the Commission on the Railways of the United Kingdom. As he understood the evidence had been closed in the case of Irish railways, he would venture to ask, Whether the Commissioners intended to make a Report on that part of the subject, or to wait until they had concluded their inquiry into the condition of all the railways in the kingdom, those of Great Britain as well as those of Ireland. Great anxiety existed in Ireland as to what the Government intended to do in regard to the railways of that country. The subject was brought under the notice of the House last Session by the right hon. Gentleman the Member for Limerick (Mr. Monsell), now a Member of the Government, but who was not at present in the House owing to the necessity for his re-election on accepting office, and the Chancellor of the Exchequer on that occasion spoke as favourably as could reasonably be expected in respect to Irish railways. In that country, as in this, many of the railway undertakings were fair and flourishing, but many others were in a bankrupt condition, and very unreasonable hopes had perhaps in some instances been entertained of the action of the Government. In the case of Government wishing to purchase, with one exception, the Great Southern and Western, it had the right to do so at twenty years purchase, on an average of the last years profits, and of these there were none. The shareholders could scarcely expect they should be indemnified for the failure of their undertaking, but still some arrangement might be made where necessity existed. A meeting of the shareholders in Irish railways had lately been held in Dublin, and much anxiety existed to know whether any negotiations were likely to take place between the Government and the Irish railways. The hon. and gallant Gentleman concluded by asking the noble Lord the Member for King's Lynn, Whether the Commissioners appointed to inquire into the condition of Railways has concluded the inquiry with respect to Irish Railways; and, if such be the case, whether they will make a Report with regard to that kingdom at once, and without waiting to pursue the inquiry as to the Railways in Great Britain; and further, to ask the right hon. Gentleman the Chancellor of the Exchequer whether, if that Report be made, he is prepared on the part of the Government to entertain the subject of Irish Railways?

Lord STANLEY: My hon. and gallant Friend (General Dunne) has conferred more honour upon me than is my due in alluding to me as Chairman of the Commission now sitting to inquire into the Railways of the Kingdom. But I have the honour of a seat upon that Commission, and I shall be very glad, as far as it is in my power, to give him the explanation that he desires. The state of the case with regard to the Irish railways is this:—We have taken a large mass of information with regard to the Irish railway system in general. That evidence is at present, and has been for some time, in the hands of the Government, and, as far as we are concerned, there is not the slightest objection to its being made public. I believe we have obtained pretty nearly all the information that will be found material with regard to Irish railways; but we have not expressly decided on closing that branch of the inquiry, and if any communications are brought before us which we consider important we have not cut ourselves off from receiving them. The second part of my right hon. Friend's question was, "Do you intend to make a separate Report as regards Ireland without waiting for the result of the inquiry as regards Great Britain?" My answer to that is that we do not purpose at present to make any separate Report as regards Ireland. As to our reasons, I cannot, of course, undertake to speak for my colleagues on the Commission; but, speaking for myself, I think I can explain why that decision was come to. It would have been a very easy thing to make a separate Report on the Irish part of the Question, if that Report had been confined to a summary of facts, or even to recommendations dealing with local details. But the main questions referred to us are not questions of fact or of local detail. They are questions involving very large principles of administrative management. One, for instance, is a proposition which has been put forward in a very ingenious treatise, and which was discussed last year in this House—a proposition that the State should buy up all the property of the railway companies. Failing that, there is a proposition that the State should lend money on easy terms to embarrassed companies, or to all companies, with a view to induce them to reduce their rates. Failing that, again, there is a proposition that much larger powers should be given to the State, enabling the Board of Trade, or some other Department, to supervise the working of railway companies. Now, it seems to me impossible that these questions, looking at them from an administrative point of view, should be decided with respect to Ireland, unless the railway system of Great Britain be at the same time taken into account. If you were to deal with Ireland only, the matter would be within a very narrow compass. The whole Irish railway system is of very manageable extent. The total capital embarked in Irish railways does not much exceed £20,000,000, which is exactly the aggregate sum proposed to be expended on metropolitan lines within the present year by the Bills now before the House. But it would be a serious matter to pledge ourselves to recommend the adoption of any course with regard to Ireland, which, by a logical necessity, would involve the adoption of a similar course, not with reference merely to £20,000,000, but to the £400,000,000 invested in the railways of Great Britain. Of course, we can only look at this matter from the administrative point of view. There is no doubt a political point of view, but that is not one that comes within the scope of our Commission. We are not sitting to inquire into the general state of Ireland: we are not authorized to consider whether any special measures are desirable for the relief of Irish distress, for the conciliation of the Irish people, or for the subsidizing of Irish trades or interests:—these are very fair matters for the consideration of Ministers and of the House; but the Commission of which I am a member is simply, as I conceive, charged and empowered to report on those principles on which the railway system of the United Kingdom ought to be administered. And, looking at it from that point of view, and again stating that I am merely expressing my own opinion, and not wishing to pledge my colleagues, I do not see how we can draw any distinction between the case of Ireland and that of England. I think we are bound to consider this question and to report upon it as a whole.

Having answered the Question of my hon. and gallant Friend, as I shall not be able to speak again in the course of the present discussion, I hope I shall be allowed to call attention to a kindred subject, to which my hon. and gallant Friend the Member for North Lancashire (Colonel Wilson Patten) is shortly about to address himself. My hon. and gallant Friend has given notice that he will to-night call the attention of the President of the Board of Trade to the enormous number of metropolitan railway schemes brought before Parliament in the present year. That is a subject which, I venture to say, the Government ought at once seriously to consider. If all these Bills go in the usual way before Select Committees, they must be referred, not to one Committee, but to two or more. I have seen the list, and it is impossible that any single Committee could undertake the task of dealing with them. But if they be referred to two Committees, that unity of plan and purpose which it is so desirable to retain where the metropolis is concerned will be lost. I have already stated that the capital of these projected metropolitan lines amounts, in round numbers, to £20,000,000. Their number is nearly one-half again as great as it was in 1864, when the magnitude of the undertakings projected caused Parliament to deal with them in a special manner. I think we ought to do again what we did two years ago. If it is inconvenient to send these Bills to two or three separate Committees, and if it is impossible to send them to any one Committee, the only alternative is to institute a preliminary inquiry and to weed the list, so to speak—to select those which are really urgent and important, and to throw over the rest to another Session. That was done two years ago by means of a Joint Committee of the two Houses. It was an experiment at the time, and an experiment as to the success of which many persons doubted. But it was one which when tried answered perfectly; and I never heard the general result which was arrived at complained of by any of the parties concerned. I think the Government cannot do better than repeat now what was done before. But if they adopt that course, it must be without delay. And I may remind them that the matter is one which, through the immense disturbance both of property and traffic that is involved, materially affects the comfort of three millions of people.

COLONEL WILSON PATTEN said, he had given notice of a Motion for that evening on the subject of railway and other

Bills affecting the metropolis, but after the admirable speech of his noble Friend (Lord Stanley) it would be needless for him to trouble the House with the observations he had intended to offer. He would content himself with adding a few words to what had been already so pointedly urged. The exact amount of capital comprised in the Railway Bills affecting the metropolis for this present Session was £19,149,000; and this was exclusive of other Bills to be submitted to Committees which affected the metropolis indirectly, involving a capital of over £27,000,000. He begged to add his strong recommendation to the President of the Board of Trade to take up this question at an early period, and see whether it could not be brought within moderate compass. In 1863 a Committee of the House of Lords recommended that every year the metropolitan railways should be taken in hand in a preliminary investigation, and the results submitted for the guidance of Parliament. In 1864 this was done; and the metropolitan schemes were submitted to a Joint Committee of both Houses, of which his noble Friend the Member for King's Lynn, the President of the Board of Trade, and himself, were Members. The Joint Committee came to the resolution that, with a view of securing the most speedy and efficient communication between the various parts of the metropolis, all measures should be eliminated from the list of Railway Bills before Parliament which did not tend to some general scheme of communication. Acting in the spirit of that resolution a great number of Bills were thrown out, and a scheme of railway communication throughout the metropolis was drawn up and recommended as the basis of any future legislation. Unfortunately, in the last Session of Parliament the idea put forward by the Joint Committee of the previous year was abandoned. Independent companies came forward with plans having no reference whatever to the scheme, and rather interfering with the general plan. What he now suggested to his right hon. Friend was that rather by means of a Joint Committee, if the cooperation of the other House could be secured, or by means of a Royal Commission, it should be seen how far the metropolitan Railway Bills now before Parliament carried out the original recommendations of the two Houses. If any were found which failed to carry out, or which in any way interfered with, those original recommendations, it ought at once to be set aside. This metropolitan question he took up, not so much from any personal interest in its solution—for many hon. Members naturally were more directly concerned in any decision which might be arrived at—as from its bearing on the large amount of Private Business before the House. This was so extensive that the greatest difficulty would be experienced in dealing with it, and if it were all proceeded with, he really did not think it would be possible to find Members to sit on all the various Committees that would be called for. The recommendation of the Board of Trade was to the effect that the metropolitan railways, fifty in number, should be divided into two groups; and that one Committee should take the railways on the north side of the river and the other those upon the south side. He could assure his right hon. Friend that the sacrifice of time which would be required from any Member undertaking the investigation of the Railway Bills affecting the northern side of the Thames would be a tax too serious almost to be imposed upon anybody. If the matter were left to chance, or if Members through overwork became careless in their attendance, there was great risk that the uniform plan of railway communication in the metropolis would be spoiled. It was very desirable, therefore, to establish, if possible, some preliminary investigation. Whether his right hon. Friend would agree to that suggestion he did not know, but the whole subject was worthy of his attention, considering the difficulties they would have to deal with if all these railway schemes were sent to Committees of that House without some previous arrangement.

Mr. MILNER GIBSON: I was not aware before the meeting of the House of the precise proposal which my hon. and gallant Friend (Colonel Wilson Patten) was about to make with regard to metropolitan railways. I shall, of course, hesitate, without due consideration, to refuse to entertain any proposal of his on that subject, knowing the great experience my hon. and gallant Friend possesses on questions relative to the Private Business of the House, and to the difficulty encountered in forming Committees to transact it. I must, however, say that on looking into the Railway Bills for this year affecting the metropolis, the Board of Trade has not thought them of such a magnitude, or of so unusual a character, as to call upon it to recommend the adoption of any exceptional course in respect to them. It is true that in 1864 there was a Joint Committee of both Houses which took into consideration the railway projects of the year affecting the metropolis and that it eliminated many of them, postponing them for a future Session, and allowing only a certain number to proceed. But there was a reason for that course. There had been a Committee of the Lords in 1863; that Committee had laid down a comprehensive scheme for the metropolis; and, in consequence of that, a great number and variety of projects were submitted, all more or less to give effect to the recommendations made in the previous year by the Committee of the other House. Therefore it was necessary, on that as well as on other grounds, to consider all those projects and see which should be permitted to go on and which ought to be deferred. I do not think that is the case now. It is quite true there are at present a good many Railway Bills, but they are not all brought forward for the purpose of executing new works, nor are they all promoted by new companies. Many of them are, in fact, promoted by existing companies, to extend existing lines, and to form new junctions with those lines, thus rendering works already executed more useful. [Lord STANLEY: It was so in 1864.] Perhaps, so. Many of these metropolitan Bills also are unopposed—that is to say, there may be claims on the part of individuals for compensation for private property intended to be taken, but no opposition is offered to the schemes as a whole. In making these remarks I am not prepared, indeed, to say that it may not be necessary to have some kind of an inquiry; but I much doubt whether the case requires the same formal proceeding as took place in 1864. At the present moment, I believe that six of those Bill have been abandoned; and in reckoning up the capital proposed to be expended, all that has been done is to look at every Bill and count up the various schemes, without taking into consideration the fact that some of them may be competing schemes, both of which Parliament cannot, of course, sanction. The capital of all these competing schemes, however, goes to swell the grand total. Again, I must observe that if 3,000,000 of people be collected in a great city like London—if we are to have our enormous trade, both import and export—if we are to drive out a large body of the inhabitants to live in the suburbs, we must be prepared to have increased railway accommodation to bring those people to the great centres of business. Therefore, we must not be astonished if projectors come forward, not asking for the money of the State, but merely for permission to invest their own capital in what they believe to be a profitable way, and to meet the requirements of that great community. That appears to me to be a view of the subject which should be kept in mind; and although the magnitude of these undertakings may startle us for a moment, we must look at the magnitude of that great metropolis, the extent of its trade, and the urgent necessity there is for increased facilities for its traffic. Why, look at the state of the public streets at the present moment—at the thronging and inconvenience produced by the crowded condition of the thoroughfares! And it should be observed that many of these railway projects—some at least of those in the present year—are in precise accordance with the previous recommendations of Parliament — namely, under-ground railways, which, while the works are in progress, no doubt may cause some inconvenience, but when once they are finished, except as regards certain houses that are taken for an adequate compensation, leave everything above ground wholly unaffected. My hon. and gallant Friend (Colonel Wilson Patten) says we cannot get Committees to do the work; and I will admit that it is rather a strong proposal to ask four hon. Gentlemen to attend to the entire group of Bills applicable to the north side of the Thames, while another Committee deals with the second group for the southern side. The labours of such a Committee will, no doubt, be very considerable. I do not, however, think they will be so great as my hon. and gallant Friend supposes. The six schemes which have been abandoned all related, I believe, to the northern side, and are precisely those which would have given rise to the greatest amount of labour and investigation; while, at the same time, they would have interfered most with the general plan previously laid down by Parliament. Many of the schemes for the north side are not opposed; they merely take ground for stations, or small extensions of existing works; and I believe the residue left to be disposed of by that Committee would not be so great as my hon. and gallant Friend imagines. Still, I am ready to join with my hon. and gallant

Friend in going into a careful analysis of these projects, and to give my best consideration to the proposal which he has made that night. I think these matters will not be found to be so formidable; and I do hope that Members of Parliament will not shrink from the labour which devolves upon them in reference to these matters. It is a duty, and a most important one, which they have to perform for the public. They are sent to that House to perform such duties, and must not shrink from their discharge. If we can divide a great group into smaller groups in such a way that separate schemes not bearing on each other might be considered by a separate Committee, or adopt some other course of that kind, without incurring the risk of the uniformity of plan being destroyed, no doubt we should lessen the labours of particular Committees. The question is one with which the Government by itself can hardly deal properly, involving as it does duties and functions to be performed by the Members of that House, and especially those duties which are discharged so well by my hon. and gallant Friend, without whose assistance I should scarcely be able to come to a satisfactory conclusion on this subject. Therefore, if my hon. and gallant Friend will unite with me in considering these matters we need not despair of arriving at their solution ; but I repeat that I do not think a case has been made out for so formal a proceeding in the present year as the appointment of a Joint Committee of both Houses.

I will next turn to a very different subject, with respect to which some Questions have been put to me earlier in the evening, but which the forms of the House, forbidding me to speak twice in this debate, precluded me from adverting to before. I now refer to the fisheries of the United Kingdom, to which my hon. Friend the Member for Shoreham (Mr. Cave) has called attention. My hon. Friend has alluded to the Report of the Commissioners who lately inquired into the sea fisheries, and asked me whether it is the intention of the Government to propose, during the present Session, to give effect to their recommendations by any legislation. I may be permitted to say that I think a more able Report than that which those Commissioners have laid before Parliament and the country was never made. It is perfectly evident that this inquiry has been most searching and complete, and conducted in a most diligent and judicious manner; and as far as the Government have been enabled to give its consideration to their Report, the inclination of our mind undoubtedly is, at the proper opportunity, to give effect, at any rate, to some of their recommendations. It is not probable that at so early a period measures should have been matured for carrying out those large recommendations by legislation; but, as far as concerns the French Convention, Her Majesty's Government have sent to the Government of France a copy of the Report, and have invited its attention to it with the view of ascertaining the extent to which the French Government would be prepared to go in revising the present Convention and in the repeal of those obstructions to free fishing which the Commission have recommended should be abolished. With respect to the propriety of terminating the French Convention by notice, no project of that kind has been entertained. The French Government has on former occasions shown a great willingness to entertain the question of that Fishery Convention, and I think when the Report of the English Commission has been considered by that Government, that Report will materially assist them in coming to a conclusion as to the principles upon which some revision of that Convention should be based. We have had also the benefit of very important inquiries which have been made in France; and I think the ground is now laid for putting our fishery laws upon a sound and satisfactory footing. I have also been asked whether the Government proposes to introduce a Bill empowering persons to appropriate portions of the foreshore for the purpose of cultivating oysters, in accordance with the recommendations of the Commission. The matter is well worthy of consideration; but it is obvious that a proposal to enable private persons, by going through certain forms, to appropriate portions of the foreshore to their exclusive use, demands very cautious consideration. I am glad, in conclusion, to be able to say that the Report of the Commissioners has entirely put an end to the apprehension that had been entertained in certain quarters, that the supply of fish for food is materially diminishing, for the Commissioners have clearly proved that the agency of man has hardly an appreciable influence in diminishing the supply of fish. On the contrary, with the exception of oysters, fish is as plentiful as it has ever been, and oysters, even in their opinion, had not fallen off from over fishing, but from causes over which man has no control. It is highly satisfactory that an inquiry undertaken in the spirit of a proposal to increase the restrictions upon fishing, should have resulted in showing that the supply of fish and the interests of fishermen would be best promoted by free and unrestricted fishing.

Mr. AYRTON remarked, with reference to the statement of the President of the Board of Trade upon the subject of metropolitan railways, that, although he quite approved the spirit which induced the right hon. Gentleman to shrink from transferring the action of the Government upon the House or upon private legislation, yet he thought the feeling might be carried too far, because he could conceive of a state of things which would render it absolutely necessary for the right hon. Gentleman to interfere for the public good, and also for the purpose of ministering to the legitimate convenience of Members. The question of metropolitan railways was one of great interest and complexity. The present difficulty had arisen from the decision arrived at by the Joint Committee two years ago with respect to railways in the metropolis; for when the proposed restrictions had been once broken through Parliament was flooded with schemes. They were so numerous and so conflicting that there was great danger of confusion and delay, and in the meanwhile the injury to the inhabitants of London was enormous; houses were taken by thousands, and all the arrangements of business were seriously disturbed. He strongly urged that the whole of the schemes now before Parliament should be dealt with by one Committee of hon. Members, or, if possible, by a Joint Committee of both Houses of Parliament. If the many schemes were dealt with, as before, by several Committees in their separate rooms, the result, he feared, would be similar to the results of the past. Contradictory conclusions would be arrived at by the several Committees, based upon the diverse evidence of separate sets of witnesses, and thus discredit would be thrown upon the labours of hon. Gentlemen. To avoid this some directing mind should be brought to bear upon the whole subject, and the suggestion he had made would permit this to be done. He would also remind the House that the Board looking after the drainage of the metropolis had to watch these schemes in the interests of the public, and the greater the number of Committees the greater the expense to the ratepayers. He hoped these reasons would weigh with the right hon. Gentleman, and induce him to overcome those scruples which prevented him acting in the matter.

Mr. HARVEY LEWIS expressed a like opinion. In a great question of this kind, involving the welfare of thousands, nay, millions of people, different Committees, with different facts before them, ought not to have power of giving decisions; but the whole of the metropolitan railway schemes should be considered by one Committee, or one Commission, with all the facts before them. Additional railway accommodation was undoubtedly required in the metropolis; but that accommodation should be afforded according to a well-devised general scheme, and not on the haphazard speculation of different and conflicting companies. The working classes, turned out of their dwellings by the destruction inevitably arising from the making of metropolitan railways, ought also to have a large share of attention. A Joint Committee of the two Houses would probably be the best machinery.

Mr. WHALLEY believed that the remedy to the evil complained of was not to be found in a Joint Committee of both Houses of Parliament, but in carrying out this simple proposition—of taking railway as well as all other private business before another tribunal than the House of Commons. Two years ago he served on a Committee in which a proposition to the effect that the whole business of railway legislation ought not to be undertaken by that House was negatived only by a majority of one; and since then the country had been plunged into such a state in relation to railway construction that he believed we had to pay for new lines something like 15 per cent, while the outlay for similar purposes was only 5 per cent in France. Thus it came to pass that no man in his senses was disposed to invest a single shilling in railway shares, and that it was left to engineers, lawyers, and others to construct those great and useful works, as it were on their own terms. That was the result of their attempting to keep legislation with respect to railways within that House. The influence, he might add, which the great railway companies brought to bear on that House and its Committees was perfectly unprecedented; and it was their interest to prevent the construction of independent lines, and to retain the powers they already possessed. He (Mr. Whalley) considered that competition ought to be encouraged, and that the same system should be adopted with respect to railways which had been found to answer in other cases—namely, the delegation of these matters of detail to a tribunal properly constituted. As an illustration of the extent to which it prevailed, he might mention that after a Resolution that no Private Bill relating to railways should be opposed on the ground that the proposed line would enter into competition with an existing line had been carried in the Committee of 1863, it had, owing to the influence to which he referred, been rescinded. Such was the unsatisfactory nature of the existing system that a leading counsel before Parliamentary Committees was heard to say that he never had a case so bad as to lead him to despair of success, nor one so good as to make him feel confident that he would not fail. The question was one of great national importance, and the Government ought, he thought, to take it up in the national interest.

FENIANISM IN AMERICA.

QUESTION.

Mr. WATKIN said, that he had postponed the Question and Motion of which he had given notice till to-night in deference to the wishes of hon. Members anxious to complete the discussion of the Cattle Plague Bill, and he did not regret it, for in the interval the House had learned from high authority—namely, that of the right hon. Gentleman the Home Secretary, that the Fenian conspiracy was of American and not of Irish origin, and that it was not countenanced by the Government of the United States. This announcement was no doubt made upon definite information, and he was anxious that the House and the country should be re-assured by that information being officially made known. On the other hand, the postponement had placed him in this position, that the subject of the remarks he should have to make, though analogous to that so ably raised by the hon. Member, had been divided from it by a discussion on railways and a reply about the oyster fisheries. He could, no doubt, have imitated the example afforded him and have spoken upon the Motion of the hon. Member, but he thought he should thereby have strained the rules of the House. He had now to submit what, perhaps, might be considered the other half of this international question. His Question to the right hon. Gentleman was, If any and what representations have been made by Her Majesty's Government to the Government of the United States in reference to the Fenian organization in America, and more especially as to the employment of United States officers, the issue of bonds of the so-called Irish Republic, and the threats made to levy war upon the dominions of Her Majesty by that organization? And he also moved for all papers connected with the subject, in order that the House might know the true position of affairs and ascertain whether or not the Government had given, as he hoped, their serious attention to so pressing and serious a matter. He had received a friendly hint from an hon. Friend who usually sat in that part of the House to the effect that it was undesirable to raise this Question for fear of causing irritation in the United States, and because the Fenian movement would, if let alone, at last die out. He feared it would not die out of itself, and that it would have to be repressed. He was not likely to say anything which could lead to irritation. He had visited the United States frequently. He had considerable interest in its industry and physical progress, and he was proud to count many citizens of that great country as his personal friends. The people of this country were an outspoken people, and those of the United States were not less outspoken, and they each honoured the other for the quality. He did not believe that anything could be, or ever had been, gained to the cause of truth and right by the concealment of the true opinions of one great people as to the conduct or omissions of another. On the contrary, the language of mystery always led to misapprehension of its motives, and that which frank and honest representation would easily set right grew into dimensions of difficulty and danger. He felt sure, therefore, that the people and the Government of the United States, so far from being offended, would be glad to know the real opinion of this country, as reflected by that House, upon the pending movement. He had recently been in the United States. He was at Philadelphia when the Fenian Congress was sitting there in October last.

He was in New York when the head-quarters of the Fenian organization were removed from Duane Street to one of the largest houses in Union Square, which was set up as what they called the Fenian "Capitol," and was surmounted by their adopted flag. He was also in Canada when rumours, more or less serious, arrived of intended Fenian raids into British territory, and knew that preparations had to be made to resist attack. A few days after he left Washington a Fenian deputation, headed by Colonel Roberts, waited upon—he hoped he might say intruded themselves upon—President Johnson at the "White House," the official residence of the President of the United States, to thank him, on behalf of the Fenian Congress of Philadelphia, for the liberation of John Mitchell. The deputation said that that congress contained delegates from no less than thirty States and territories of the American Union affiliated together for the liberation of Ireland. Now, the result of the observations he had been able to make convinced him of three things—first, that the Fenian organization was exclusively and without doubt or question of American origin, being, in fact, a continuation of the old "Phœnix" Societies; second, that it was not sympathized in by native Americans at large—still less by the native American officers of the United States army; and third, that it did not arise from or exist in those immense portions of the continent over which, happily, the British Crown held sway and the British flag floated. Now, while the deliberations of the Fenians were called secret, their object and the mode by which they sought to accomplish them were known and avowed. No one in the United States could plead that he did not know that there existed a vast ramification all over the States, having war with a peaceful ally for its avowed object. With regard to the congress at Philadelphia, he might mention that one peculiar feature was the presence of a large number of officers in the employment and pay of the Government of the United States. He had got in his hand a list of a very small committee of the congress, and yet it contained the names of no less than ten volunteer officers belonging to the United States. Three of these were generals, five were colonels, one was a captain, and the last one was a lieutenant. [Mr. ROEBUCK: What countrymen are they?] They were Irish-Americans, availing themselves of the rights of American citizenship. During the constant public discussions in America many things were said which completely disclosed the objects of the Fenian organization. He had with him many reports, including the report of a meeting of delegates to the Fenian Congress, and, without troubling the House with the speeches, he might mention that the general result was that the speakers avowed that they had met to "complete" their organization, the object being to "liberate" Ireland from the Government of Her Majesty, and do so, if need be, by force of arms. But he would picture what the organization was by quoting other and more definite evidence. First of all, Mr. Justice Keogh, in charging the jury at the first of the recent trials in Ireland, described Fenianism as follows. That learned Judge said—

> "That its ramifications existed not only in this country, but in the States of America; that the supplies of money and of arms for the purposes of a general insurrection were being collected, not only here, but on the other side of the Atlantic; and, finally, that the object of this confederation was the overthrow of the Queen's authority, the separation of this country from Great Britain, the destruction of our present Constitution, the establishment of some democratic or military despotism, and a general division of every description of property as the result of a successful civil war."

And certainly the evidence adduced at these trials, and the convictions of the conspirators which followed, fully proved the main points of the description. But he would not rely upon even this alone. He would, with the permission of the House, read a description of the Fenians given by the Fenians themselves. It was an extract from the *New York World*—their organ—and it stated—

> "There is in this city (New York) a military engineering class of 100, taught by an engineer formerly on M'Clellan's staff in the peninsular campaign. Subscriptions are handed in to large amounts every week from all parts of the country. A bank account is kept by the Brotherhood in its own name, and a clerical force is employed to keep the accounts and attend to the correspondence of the Brotherhood. One of the bank note companies, as Colonel Roberts stated in his speech last night, are printing 8 per cent bonds in the name of the 'Irish Republic,' one and indivisible. They will be ready next week in denominations of 10 dollars, 20 dollars, 50 dollars, 100 dollars, 500 dollars, and 1,000 dollars. In the centre will be a figure of Liberty drawing a sword, and at the sides vignettes of Emmett and Lincoln. It is confidently hoped by the leaders that these will be taken up very rapidly, and that large orders will come from the country and from the West. It is stated that negotiations are pending for the purchase of eight ocean steamers, each warranted to

carry 1,000 men, with the certainty almost that the purchase will be made before the 1st of October. It is further said that there have been immense purchases of arms from the Government by parties who are supposed to be identified with the Fenians, and that propositions for further purchases are now under consideration. At the Fenian headquarters in Duane Street they are continually boxing up muskets, but of course no information is given as to where they are sent. There are twenty-seven circles in New York, and Colonel John O'Mahoney is the head centre of the organization throughout the country."

It was stated also with respect to the Fenians, by an independent and impartial resident authority known to many Members of that House, that

> "There is a Secretary of War, a Secretary of the Navy, and most of the usual officers of a regularly constituted Government. The society is known to be in treaty with a gunmaker for the purchase of a large quantity of arms which he bought of the Government after the war. The agents of the Fenians have been in Washington within the last fortnight, endeavouring to ascertain whether Mr. Welles, the Secretary of the Navy, will sell them any of the vessels for which the Government has no further use. Whether they succeeded in seeing Mr. Welles or not I cannot say; but it is well known that they have had interviews with Mr. Stanton. These facts, taken together, and many other circumstances which it would be too tedious to repeat, but which are well known here, prove at least that the Fenian organization is now a power, and one which cannot be scattered by the arrest of a few of its members in Ireland."

That was the representation of the able and well-informed correspondent of *The Times*, whom no one would suspect of inaccuracy or exaggeration. He would now say a few words with regard to the extent of the Fenian organization, and the means by which it was maintained. He found by certain documents in his possession that the organization had raised within the last seven years 5,000,000 dollars, and that from September the 10th to October the 29th, 1865, their receipts amounted to 120,650 dollars 22 cents, and the expenditure to over 100,000 dollars. On October 28 there were in the United States 613 circles, with an average membership of 300 persons each, or about 184,000 in all. He would now endeavour to show how the money was expended; because, with respect to Fenian development in Ireland, it had been said that the discontent of the Irish people proceeded entirely from their grievances. He called the special attention of the House to the item he was about to quote. The first item in the expenditure was 62,567 dollars for "envoys," from October 31, 1865, to January 9, 1866, and that meant that £40,000 a year was expended to stir up sedition and disaffection in different parts of Her Majesty's dominions. This accounted for much, and in defence of the loyalty of Ireland he would ask whether a systematic agency and expenditure such as now disclosed would not lead to treasonable organization either in Ireland or wherever ignorance and poverty existed? Here were the tempters, and it was the duty of the Governments on both sides of the Atlantic to punish them. Here was the real source of the evil in Ireland. He meant to say that the Irish people were being preyed upon and seduced from their allegiance by American gold; and as long as the Government neglected to deal with this question at its source, and were content simply to prosecute a few misguided men in Ireland, their efforts to stop the movement would fail. There was, in his humble opinion, a plain line of duty before them; it was for the right hon. Gentlemen to show how far they had fulfilled it. He would now turn to a more cheering aspect of the case. To show that Fenianism was hardly known to exist in the British North American possessions, he would quote from a letter dated Christmas Day, 1865, to the Lieutenant Governor of New Brunswick by a distinguished Irishman and a distinguished Catholic, Dr. Conolly, Catholic Archbishop of Halifax, Nova Scotia. Dr. Conolly said—

> "On the occasion of my recent visit to the United States, many of these poor deluded people talked as flippantly and confidently of taking all British America in the course of this winter and holding it as if they already had the title deeds in their pockets. If they come on the strength of their own resources, it will indeed be a laughable scare; and from what is now occurring at New York, we may easily foresee the glorious *denouement*. Two millions of Protestants and eighteen hundred thousand Catholics, who have mothers, wives, and daughters, happy homes and free altars, and a Government of their own choice, will meet them as they would the freebooter and the assassin, with knife in hand, on the trail of his victim. From their success we have nothing to expect but bloodshed, rapine, and anarchy, and the overthrow of God's religion; for all this is inscribed on their banners."

This was not the time to enter upon the question of how far equality of civil and religious rights and of self-government had led to this cheering contrast; but it was the fact that loyalty to Great Britain was divided only by the United States boundary line. He now came to the question whether these illegal proceedings, so open and done avowedly with the object of stirring up a war with this country, had been treated as they ought to be treated by the Government of the United States, with whom we were at peace; and whether Her Majesty's Government were warranted in tolerating such an outrage on our national rights and so much opposed to every feeling that ought to subsist between the two nations. Recently the United States had taken a step which seemed to him to redound in every way to their credit; and having had the honour of interviews with President Johnson and with many of the leading men in the United States, he thought he could trace the President's own hand in the circumstance he was about to allude to; and, when he remembered the conduct of President Johnson with regard to the recent raid upon Mexican territory, and his dismissal of General Sweeney from the service of the United States, he could not help entertaining a suspicion that our own Government might be at fault. He would say also that statements which had been made in this country regarding the President were premature and misapplied, and that there was not a man living who was more desirous to perform every international obligation, or more earnestly labouring to heal the open wounds of his country, or more determined to preserve a peaceful alliance with this country. He felt assured that the President regarded this alliance as essential to the progress of the Anglo-Saxon race and to the peace and progress of the world. Now, the step he alluded to affected Spain—a country with which the United States were at peace, but with which they had little else in common. The disputes between Chili and Spain had led to the preparation of an expedition against Spain from the shores of America, and Senor M'Kenna, the Chilian resident in New York, with the aid of American citizens, had undoubtedly copied the Fenians by preparing to fit out a hostile expedition. Now, dealing on behalf of Spain, what had been done? Why, Senor M'Kenna was arrested by a primary order from the President, given through the Secretary of State to the district marshal, and on the 6th of this month of February M'Kenna was brought before the Grand Jury of New York, a true bill was found against him, and he was at this moment in prison. The indictment was found against him under the 6th section of the Neutrality Act of 1818, which provides that—

> "If any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare, the means for any military expedition or enterprize, to be carried on from thence against the territory or dominion of any foreign prince or State, or any colony, district, or people, with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding 3,000 dollars or imprisoned not more than three years. The indictment by the Grand Jury was procured at the instance of United States District Attorney Dickinson, on intimation received from the Secretary of State, who was, of course, directed in the matter by the President."

He contended that the Fenian combination was an undoubted breach of the public law of the United States. He would for a moment turn to an American authority, for he thought it much better to quote American authorities than either French or English. He would read an extract from *Wheaton's International Law,* page 499—

> "By their treaties with several of the belligerent Powers, treaties forming part of the law of the land, they had established a state of peace with them. But without appealing to treaties, they were at peace with them all by the law of nature; for by the natural law, man is at peace with man till some aggression is committed, which by the same law authorizes one to destroy another, as his enemy. For the citizens of the United States, then, to commit murders and depredations on the members of other nations, or to combine to do it, appeared to the American Government as much against the laws of the land as to murder or rob, or combine to murder or rob, their own citizens; and as much to require punishment, if done within the limits where they had a territorial jurisdiction—or on the high seas, where they had a personal jurisdiction, that is to say, one which reached their own citizens only; this being an appropriate part of each nation, on an element where each has a common jurisdiction."

The same distinguished writer went on to say—

> "The same principles were afterwards incorporated in a law of Congress passed in 1794, and revised and re-enacted in 1818, by which it is declared to be a misdemeanor for any person within the jurisdiction of the United States to augment the force of any armed vessel, belonging to one foreign Power at war with another Power, with whom they are at peace; or to prepare any military expedition against the territories of any foreign nation with whom they are at peace; or to hire or enlist troops or seamen for foreign military or naval service; or to be concerned in fitting out any vessel to cruise or commit hostilities in foreign service, against a nation at peace with them; and the vessel, in this latter case, is made subject to forfeiture."

Now, he confidently put it to the House, this being the law and these the principles upon which that law was founded, that the Fenian association was an illegal one and its members misdemeanants. If he required to add another fact, it would be to quote the speech of a gentleman who was called the Head Centre for the State of New York, in which he stated distinctly and publicly that before very long privateers would be fitted out, with the view of preying on the commerce of England. Taking all these facts together, surely there was enough to convince any man that—to say nothing of technical obligations—all the high obligations of honour and good association between nation and nation had, in the unchecked operations of the Fenians, been most signally outraged. Well, they found that in the case of the attempt to make war on the comparatively weak and unimportant Power of Spain summary, immediate, instant justice had been done; and with regard to the Emperor of the French, notwithstanding the provocation of the presence of a French army in Mexico, contrary to the traditional views and to the policy of the fathers of the American Republic, explanation had been given. How, then, was it that in our case the proper position had not been taken? How was it that, after seven years, an organization which raised 5,000,000 dollars in that period for the purpose of making war on this country had been allowed to go on without remonstrance or interference on the part of Her Majesty's Government? He might be told, perhaps, by the right hon. Gentleman who would follow him, and who, he hoped, would deal with this question fully and in perfect frankness, that he was casting undue suspicion on the Government, and that they had used every means in their power to put an end to this state of things. He trusted that would appear to be the case. He would not believe that this country was singled out by the United States for an exceptional and insulting denial of justice; and he still hoped that the Government would be able to show that British interests had not been left to take care of themselves. At all events, the people of America would learn what was the opinion of the House of Commons. Let him say, in conclusion, that in dealing with this question, they were not dealing with British interests alone, but with the interests and the honour of the United States also. The Government of the United States was too sagacious not to perceive that if they once permitted the turbulent and restless foreign element which their society contained to violate their own laws with impunity, if not with encouragement, they were perilling their own public liberty by undermining public order. They were giving way to a licence which at last might overcome them, and holding out temptations and affording precedents most dangerous to the future. In fact, the only danger to the permanence of their institutions was the existence of this element, which had no ties to the past or to the future, and which loved their land only for the sake of the lawlessness they might exercise within the Union. For their sake, then, and for ours, he asked why wise and just laws should not be enforced, and why Great Britain and the States should be placed in antagonism for want of that enforcement? He would hope for the best. He trusted the right hon. Gentleman would be able to assure the House that Government had exhausted, should it have been necessary, every means of representation and remonstrance; but beyond that he hoped that it would turn out that the Government at Washington, amidst all the peculiar political difficulties with which the question was, as he fully admitted, surrounded, had loyally dealt with us in making efforts to put down this evil. For he prayed that nothing might arise from this, or any other cause whatever, to check the co-operation of the two countries in all that promoted liberty and civilization, or to disturb the maintenance of brotherhood and kindly relations between them.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I feel it to be a matter of public duty, and I think it is one of considerable public importance, that I should immediately follow the hon. Gentleman. I should consider that I failed in my duty if I allowed any other Member to interpose. I will despatch very shortly, obeying reluctantly the somewhat confused and confusing law of the House, any reference that may be necessary to matters which were raised in the earlier part of the evening. The hon. Member for Devizes (Mr. Darby Griffith) made a proposal that the rates of postage on newspapers should be reduced, in consequence of the low rates at which they were carried by the railways. He mentioned that newspapers were in some instances carried by railways from station to station at a halfpenny, and in some cases at a farthing. It would be in vain to enter on a detailed reply to the hon. Member, but there is this broad distinction to be made between the service performed by the Post Office and the railways, that the latter undertake no kind whatever of collection or distribution, and that is the most serious and costly part of the service performed by the Post Office. There are other distinctions as to the service rendered, but I think I may for the present waive the details of that question. Then with regard to the Question put by the hon. and gallant Gentleman the Member for Queen's county in relation to the Irish railways. He made a joint appeal to the noble Lord the Member for King's Lynn (Lord Stanley) and myself, and he received from the noble Lord a reply explanatory of the views of the Commission on that very important subject. The course of the Government is for the present necessarily limited in a very great degree by the proceedings of the Commission. I may, however, say that we shall not be disposed to be kept back by trivial obstacles, or to be restrained by any considerations of form or by any argument of a doubtful character from putting a favourable construction upon any plans which may be proposed or suggested with regard to the Irish question. Beyond this I can hardly go. There are many points of difference between the connection of Government with English and with Irish railways, one in particular being that there is no comparison between the capitals sunk in those undertakings in the two countries. It must also be recollected that while the Royal Commission has done much to inform us upon the subject of Irish railways, the companies themselves have done nothing towards laying any practical suggestions before the Government upon which they could act. And now I come to the important remarks which have been made by the hon. Member for Stockport (Mr. Watkin). The hon. Member asks if any and what representations have been made by Her Majesty's Government to the Government of the United States in reference to the Fenian organization in America, and more especially as to the employment of United States officers, the issue of bonds of the so-called Irish Republic, and the threats made to levy war upon the dominions of Her Majesty by that organization. No Motion has been made by the hon. Gentleman, but I believe I may say that there are no papers relating to this matter that can be produced.

Mr. WATKIN said, that he had omitted to conclude with a Motion, believing that it was needless. He trusted he should be permitted to supply the omission. He moved for the production of the papers connected with the subjects.

The CHANCELLOR of the EXCHEQUER: It is immaterial. There are no papers upon this subject to be produced. The hon. Member, apparently anticipating that a reason might be asked of him for raising the discussion which he has introduced, stated as his reason for so doing that the people of the United States are an outspoken people, and that we in this country are an outspoken people also. I entirely concur with the hon. Gentleman in thinking that the perfectly free discussion of all subjects whatever in this House forms perhaps the most characteristic, and also the most valuable, and important feature of our habits. At the same time it does appear to me that considerations of time and of place, and of the order of proceedings, as well as considerations of prudence and policy bear very strongly not against the general principle announced by the hon. Gentleman, but upon the question whether particular things should or should not be said at a particular time or in a particular place. I confess if I ask myself what useful object it is that the hon. Member anticipates from commencing a discussion upon this subject at the present moment, I find it difficult to give an answer to the question. I would ask the hon. Gentleman to recollect, considering the tone of his remarks, the position in which we ourselves usually and habitually stand in the face of foreign nations—that the proceedings of English citizens are constantly made the subject of complaint abroad, and that imputations are constantly thrown upon the English Government of a disinclination to interfere with those proceedings—I would ask him further to remember that we plead against those imputations the freedom of our laws and our habits, and the extreme inexpediency and imprudence of attempts on the part of Government at taking measures of repression on behalf of, or in the interests of a foreign Government, unless those measures of repression are founded upon facts perfectly notorious and are certain to be attended with success. I am bound to say I do not think there was in the speech of the hon. Gentleman a sufficient allowance for those considerations on behalf of the Government of the United States. Now, in looking at the hon. Gentleman's statements, I find that he made them with the hope that I should be able to show that all means of repression had been exhausted by the United States Government. [Mr. WATKIN expressed his dissent.] I am quoting as nearly as possible the words of the hon. Member.

MR. WATKIN: The right hon. Gentleman has not quite accurately described what I meant to say. It was that I hoped that the right hon. Gentleman and his Colleagues would be able to show the House that they had exhausted every means in their power to prevail upon the Government of the United States to fulfil the duties of neutrality, and that that Government was loyally endeavouring to do so.

THE CHANCELLOR OF THE EXCHEQUER: I accept the hon. Member's correction of my statement, but do not think the difference is material. Does the hon. Gentleman really suppose that on his making these statements from the newspapers for the first time publicly in this House, without having had any previous communication with Government on the subject, it would be in my power to follow him, to identify the sources from which he drew his information—in some instances he did not state what those sources were—and to show upon a careful examination which of these statements could or could not be made matters of representation to the United States Government? I am bound to say that it does appear to me that if we are to maintain the full discharge of international duties, these international duties affect not Governments alone, but also all those who fill public stations in civilized countries. If statements are to be made apparently with the intention of implicating the good faith of a foreign country, it is hardly too much to ask that those statements should first be placed in the hands of the authorized representatives of our own Government, in order that, if necessary, those particular statements may be made the subject of communication between the two countries, so that our own Government may either be made responsible for declining to act upon those statements, or else that the Government of which the complaint is made, may be made responsible for declining to act upon the remonstrances which may be addressed to them in reference to those statements. The hon. Gentleman has made statements which are in a great measure vague with regard to the points in issue. It may be perfectly true—and is, unhappily, too true—that Fenianism in the main, and by the means by which it is supported, is a thing imported from America. As to that there can be no doubt. But that is not by any means sufficient to show that representations should be made to the American Government, and that that Government should be challenged to put it down, or to show good reason for not doing so. There are Gentlemen here who heard the admirable speech made by my hon. and learned Friend the Attorney General in the early part of the evening. What did he say in reference to the demand that we should submit the case of the *Alabama* to arbitration. He said—

> "We are reluctant to allow that the Government are responsible for the putting down and the prevention of things which cannot be put down and prevented."

But the hon. Member wishes to throw that responsibility upon the American Government. There are two things which we have a right to expect from the American Government. One is, that when the American laws have been broken they should promptly vindicate those laws on behalf of England. The hon. Member pointed out that in the case of Spain the United States Government had promptly vindicated. Yes, but the acts done in the case of Spain by Senor M'Kenna—namely, the purchase of one or more ships and equipping them for an expedition was a thing above board, lying upon the surface of affairs, evident in the light of day, and easy to be made the subject of legal proceedings. But it is not enough for the hon. Member to come here and say that the Fenians had held a congress at Philadelphia or had collected so much money in so many years in order to raise the presumption that the American Government have neglected their duties. He should show that such proceedings have been notorious—not merely notorious in the way things are when dependent upon public rumour—but notorious in such a way that they could have been made the subject of judicial investigation. The hon. Gentleman has done nothing of the kind. I listened to his speech, and I heard nothing from him to show that any acts had been done in America in violation of the American laws which it was the duty of the American Government to have repressed and punished by their ordinary tribunals. The hon. Gentleman spoke of a deputation to President Johnson, but he told us nothing of what took place between that deputation and the President. I do not imagine—and I mention this because it certainly had at first sight an important appearance—that he ~~placed~~ much reliance upon or intends to raise from that interview any inference adverse to the Government of the United States, because he paid a very high, and, if I may presume to say so, a very just compliment to President Johnson in a later part of his speech, when he expressed his full conviction and belief that President Johnson was a man anxious to do all he could for the maintenance of the friendly relations between the two countries, and for the fulfilment of all international duties. There are two cases I just said in which we might expect the United States Government to act, one being where offences have been committed against the American laws; but no proof has been laid before us that such offences have been committed in the way that would make them the subject of legal cognizance. Therefore, we have no ground of complaint against the American Government in that respect. The other case is that, in the event of any attempt at using force by these misguided men in the United States against any portion of the British dominions, we have a right to expect that the Government of the United States will repel and put down any such attempt by the use of superior force. No such case, however, has happened, and therefore upon that ground we have no cause for action. There is, I grant, also a case where persons in public employment are concerned in the Fenian conspiracy. The hon. Gentleman says that ten volunteer officers, whom he designated as Irish-Americans, were members of a Fenian Congress; but we do not know what, if anything, was done, or in what manner anything was done, by anybody, or at any time, in which those officers took part. The hon. Gentleman has stated that General Sweeney had been dismissed from the service of the United States; consequently, so far as that was concerned, my hon. Friend has no title to complain of the Government of the United States. That officer was dismissed, I believe, for absence without leave. But I must know a great deal more about what General Sweeney did, and the charges must be clearly brought home to him, before I can make any proceedings of the Government of the United States, in respect to him, matter of condemnation or taunt. I have no more to say with regard to the particular allegations of my hon. Friend. I hold that where they are vague they had better not have been made. Where they are definite, where they tend, if any of them do tend, to show a default of duty, which I do not admit, on the part of the United States Government, the fair course towards any friendly Government, or towards any Government in alliance with Her Majesty, is to take care that those allegations shall first be placed in the hands of the responsible Ministers of the Crown. It is utterly impossible that upon being produced without notice in this House they can be properly or satisfactorily explained. As regards the Question of my hon. Friend—"If any and what representations have been made by Her Majesty's Government to the United States in reference to the Fenian organization in America," I answer—we have not made any representations. We have seen cause to deplore much that has taken place there, but we have had no cause which would have justified us in making representations to the Government of the United States upon the subject. My hon. Friend has said that it is vain to act in Ireland unless we deal with the evil at its source. Those are, certainly, very big words. To deal with the evil at its source in the dominions of a foreign Power would, perhaps, involve measures for the ascertainment of the facts which we would not for one moment tolerate or hear of in this country. Let us, who are anxious, and justly anxious, to maintain our own country as a sanctuary against every undue and doubtful demand of a foreign Government, have a little forbearance and toleration in judging of the proceedings of the Governments of other countries. We have not made any representations to the United States Government. Had we had facts of a nature that would have justified such a course, I need not say that we should have taken it. But such representations must have been made in view of definite ends. The mere general remonstrance which my hon. Friend recommends, the mere complaint to the United States Government of what is going on in America, the mere setting forth of the inconvenience which arises to us from those lawless proceedings—for such they are—of certain American subjects, would have diminished the dignity of this country. When we have definite materials of complaint or of representation, then let us proceed with them; but because we are hurt and wounded with what is going on, because we have a right to feel a just indignation against the guilty promoters of those enterprizes, do not let us attempt to make the United States Government responsible for what we have reason to believe it has been unequal to prevent, and for what, had the case been invented and the proceedings taken place in our own dominions, we in like manner should have been unable to prevent. We have confidence in the United States. We believe that the Government of the United States will fulfil its international obligations to the best of its power. We have confidence further in the public opinion of the United States. As far as we are informed the public opinion of the United States, like the public opinion of England, and like the public opinion of Ireland, condemns this Fenian movement. We are told that with that condemnation there is mingled in America something of contempt, that the promoters of Fenianism are regarded as guilty fanatics, whose strength is not in proportion to their zeal or to their evil intentions. Of course, this is a matter on which it is impossible to speak as if we had official testimony; but if what I have stated be true, it is an important point which must greatly affect our policy with the American Government. With that belief, if we are justified in entertaining it, the House, I think, will hardly be surprised if I say that the days are as yet too early, and the information by far too crude and immature, to allow us to accept statements in this House which tend, even by remote implication, to raise a suspicion of breach of duty on the part of an allied and friendly Government. We are very sore about these things ourselves, when we read that somebody in congress, or somebody in some assembly abroad, has made imprudent speeches and has placed the executive Government of their country in difficulty. Well, the tables are now turned. Let us, the Members of this House, show that, long educated in the habits of freedom, we have, as we are bound to have, more self-command than the less trained and less practised representatives of other countries. Let us have some trust in the justice with which we have endeavoured to regulate our relations with Ireland, and in the power which this country possesses to preserve order in every portion of Her Majesty's dominions. Let us rely on our dignity and character: which are never at a higher point than when joined with patience and endurance, unconnected with the suspicion of weakness, and resting firmly on the consciousness of strength. This course, I trust, we shall pursue. Do not let us heedlessly sow the seeds of mistrust between these two great countries. I would not for a moment conceal that the seed of this mischief lies in America, and that an active agency is coming from America; but, though it is in America, we do not believe it to be of America. We do not believe it to be the genuine fruit of American sentiment, or the genuine representation of the American mind. We believe it to be condemned there as it is condemned here, and, in the total absence of all evidence to the contrary, we say—Let us trust the friendly Government which has not as yet failed in its duty, and which we believe will not fail. Of course, the matter is entirely one for the judgment of the House. Having made a speech myself, it may not seem to be very good taste to repress the speeches of other Members; but I frankly say, as far as I may presume, with due respect, to make such a statement to the House, that it is for the public interest that the consideration and handling of this subject at the present time and under the present circumstances should be in the hands of the Executive.

Mr. WATKIN: After the statement of the right hon. Gentleman, I prefer the responsibility for its withdrawal remaining with the Government.

Mr. OTWAY said, that in these matters he thought that safety was not always to be found in silence. In 1853, when the relations between this country and Russia were in a state of extreme tension, his hon. Friend (Mr. Layard) persistently but unsuccessfully requested information from the Government with regard to these matters, but he was always met with the answer that it would not be consistent with public interests that the subject should be discussed in the House. What happened? The country "drifted" into a war. His hon. Friend was then, and, he believed, was still of opinion that if discussion had taken place, and the Emperor of Russia had been made acquainted with the opinion of this country through the House of Commons, the Crimean War would have been averted. So he hoped it would be with regard to this Fenian question. He had too much confidence in the justice and good feeling of President Johnson, and of the American people, to believe for one instant that if they were aware of the state of feeling in this country, and of the mischief which was being created by the Fenian organization in America, that they would tolerate it any longer. He was convinced, that if the American people were acquainted with this fact, the American Government would take steps to put an end to proceedings as dangerous to that country as to England. It was with this conviction that he thought it advisable, soon at all events, if not immediately, to discuss this matter. He could not imagine that President Johnson, who had on so many occasions exhibited a most friendly feeling towards this country, and who had described himself in a personal interview with his hon. Friend as animated by feelings of friendship and sympathy towards us, would have granted the release of that notorious convict and rebel, Mitchell, at the request of the Fenian Association, or have allowed a regiment of the New York State Militia to have protected the so-called President of the Irish Republic while occupying a building termed the Capitol, had he known how these acts would be regarded in this country. These things were done, he believed, because not only the President, but also the whole of the people of America regarded the movement with the most profound contempt, and because they were not aware of the light in which it was viewed in this country. But what was a joke in New York became a crime in Ireland. Out of eighty-five men lately arrested in Ireland, forty-five were Irish Federal officers. He was therefore satisfied that it was for the interests of this country that representations should be made to the American Government. When, however, the right hon. Gentleman the Chancellor of the Exchequer said that the Government had no information upon the subject, he should like to know what our Minister at Washington had been doing. The right hon. Gentleman said that the statements of his hon. Friend the member for Stockport were too vague, and could not be regarded as authentic. They were, however, matters of notoriety. Not only had they been published in the American newspapers, but they had been copied by the English and French press, and foreign newspapers were discussing the subject and asking us what we were going to do. Our Minister must be acquainted with these facts, and must have greatly neglected his duty if he had not drawn the attention of our Government to them. He believed, therefore, that Her Majesty's Ministers would be greatly neglecting their duty if they did not make some representations to the American Government upon the subject, making that Government acquainted with the light in which Fenianism was regarded in England, and the misery it was causing in Ireland.

MR. OLIPHANT said, that in spite of the suggestion which had fallen from the right hon. Gentleman the Chancellor of the Exchequer, he could not avoid trespassing for a few moments upon the indulgence of the House, as he totally differed from the hon. Member who had just spoken. He thought that no course could possibly be more unwise than that recommended by the hon. Member for Stockport (Mr. Watkin). He had only just returned from America, where he had ample opportunity of forming a judgment upon the Fenian movement, and ascertaining the amount of support which it derived from the American people. He might tell the hon. Gentleman that if he were himself a "Head Centre" he could not possibly have suggested a course more agreeable to the leaders of that movement. The one thing the Fenians desired was that notice should be taken of them. Their proceedings had been ridiculed from one end of America to the other. The request which they had ever made was that the sympathy which had persistently been denied to their movement should be accorded by the American Government. He did not believe that it was difficult to account for the unpopularity in which the Fenian movement was held in America. The Americans denied them any sympathy, in the first place, because there was not a gentleman among them. The Americans had a peculiar susceptibility upon that point. They admired such an individual when they could find him. But when they found that the Fenians were composed of the hewers of wood, the drawers of water, the waiters at hotels, and men engaged in similar occupations, the movement failed entirely in gaining the respect and admiration of the American people. Again, the Fenians had been ill-advised enough to start another nationality, and there could not possibly be anything more distasteful to the Americans, who approved no nationality but the

Anglo-Saxon, to which they belonged. But the Fenians endeavoured to establish a Celtic nationality in Canada, just as it was desired to set up a Latin Empire in Mexico. The Fenians were in a manner regarded as traitors to the country, because the idea of losing the bone and sinew of the country, the Irish population by whom all the drudgery was performed, was viewed by the Americans with little short of horror. If they could possibly stop Fenianism, they would do so to-morrow. Besides, to secure for such a movement the sympathy of a great nation, the leaders must act with some consistency, and display not only dignity, but also some political sagacity. But ever since the Fenians had obtained money sufficient to quarrel over, they immediately commenced their bickerings, and the disputes of Mr. Head Centre O'Mahoney and President Roberts had become the laughing stock of the whole country. The *New York Herald,* which had at first taken a good deal of notice of the Fenians in consequence of its large circulation among the Irish, had, by trying to please each party, gained the antagonism of both, and the editor of the *New York Times,* Mr. Raymond, more unfortunate still, was challenged by O'Mahoney at the outset of his career to mortal combat. Acting in this manner, they did not conciliate public feeling in America. There was another reason why they were unpopular in America, and that was a political one. In the old days, before the war, political parties in America were divided into Democrats and Republicans, and the Democrats relied for success on the Irish vote in the State of New York. Naturally, during that time the Republicans looked upon the Irish as their natural enemies. The antipathy of the Irish to the negro was so great that this was certain to procure for them the antipathy of the Abolitionists. If there was anything which an Irishman hated more than an Anglo-Saxon it was a negro, and the result was that when at the end of the war the Democratic party became extinct, the Irish, who would have had the sympathy of the Democrats if their party succeeded, were deprived of those sympathies, but retained the hostility of the Republicans, so that for political reasons they were without the sympathy of any portion of the Americans. The want of success in New York had been so great that the rival camps had transferred the theatre of their operations to the rural districts, and were literally "starring in the provinces." The estimate in which the movement was held might be gathered from an extract which he would read to the House from an American paper—

> "The decline from heroic tragedy to the most stupid of burlesques during the internecine war in this city between the Head Centre and the Senate has been duly recorded. The ridiculous farce is over, the smoke has cleared away, the parties themselves have become indifferent or weary, and the whole thing is as flat and uninteresting as a wake without whisky. By the new tactics the grand campaign for the liberation of Ireland is transferred from this city to the rural regions. A dozen imitators of Peter the Hermit are abroad and sounding the 'hewgag.' The American Continent (except Canada) is to be aroused, and in less than no time the Queen's minions from Cork to Coleraine, and from Dublin to Galway, are to skedaddle, leaving Mr. Chief Executive Stephens at liberty to creep from his hiding-place under the blarney stone, hoist the 'sunburst,' and proclaim at last the Republic of Ireland. But thus far the new tactics have not worked quite up to expectation. There is a Corsican feud—a regular vendetta—between the Head Centre faction and the Senate faction. If a senatorian undertakes to lecture, a Head Centreite is on his track like a bloodhound, and before he has time to say 'Fellow-citizens,' the other side puts in an appearance and the fun commences. The enthusiastic hearers at once take sides. Irishmen never hesitate to do that much, no matter what the question, and the lecturer stands as much chance of being heard as a Puritan psalm-singer at Donnybrook Fair. This was the case the other day at Troy, where the lecturing crusade was inaugurated. The doors were hardly opened before the Milesian blood was at fever heat, and in default of a regiment or two of Life Guards to wallop, the boys went at each other. They did not hear the lecture, but they did enjoy the coveted luxury of a regular hulla-balloo, such as would have done honour to Tipperary in its best days. This ridiculous spectacle will doubtless be witnessed in most of our large towns, the squabbles of the O'Mahonians and the Senate being, thank fortune, transferred from this city to the provinces."

That being the estimation in which this movement was held in America, we should look as ridiculous as the Fenians themselves if we were to make remonstrances which would only excite wonder and astonishment among the American people at the Fenian power on this side of the Atlantic in which the Americans did not believe at present. Supposing, however, that this were not the case, there were other reasons why we ought not to remonstrate with the United States. It would be better to allay old animosities than excite new ones. The Americans were extremely anxious, after the strong language which had not unnaturally been used during the progress of the war, to let the feeling against this country subside of itself; but if we were continually finding out reasons why we should urge upon them strong expressions of sympathy with this country at a time when they wished to be let alone, we should certainly do no good. Possibly, indeed, an absolutely bad effect might be produced. In the first place, the American Secretary of State could certainly point to episodes in our history almost exactly parallel to what was now taking place in America. He (Mr. Oliphant) himself had once been asked to subscribe money for some persons whose avowed object was to kick out of his throne the King of Naples, with whom this country was on friendly terms. He had also seen a Garibaldian legion marching through the streets of Liverpool to the point of embarkation, whence they were openly and notoriously going to fight against a Sovereign with whom we were at peace. Those who lived in glass houses ought not to throw stones, and though, perhaps, episodes might have occurred in America which it might be difficult, under a strict interpretation of International Law, for the Government of that country to justify, still it would be in the last degree inexpedient to raise at this moment any particular points. He had a very strong reason for saying—and he did not think he was overstepping the bounds of confidence in saying—that the rupture which had been made in the Fenian body was due to the action of the American Government. Certain it was that we owed a great deal to that rupture, the result of which had been that the great Fenian organization was split into two factions, so that when we wanted to know what Roberts was doing we had only to apply to O'Mahoney, and when we wanted to know what O'Mahoney was doing we had only to apply to Roberts. But, though he thought that remonstrances of the nature described by the hon. Member for Stockport would be injudicious, he was of opinion that representations of another kind might be made, and with great effect, to the American Government. On looking at the origin and policy of Fenianism, it was not difficult to ascertain what those representations ought to be. It was perfectly true that Fenianism had its origin in America, but then it should be borne in mind that it originated out of the policy pursued by this country towards America. In other words, if there were no outstanding claims between England and America Fenianism would cease to exist. The reason why it existed at all was this. When we recognized the South as belligerents, and when certain cruisers preyed upon the commerce of America, the whole American people, in a very natural ebullition of feeling, said that if a rising were to take place in Ireland or India they would immediately recognize the insurgents as belligerents and allow cruisers to go out. They never expected such a thing would happen, but the suggestion took root in the minds of Irishmen, who thought the American people had entirely committed themselves to this idea, and they tried to embroil the two countries by exciting a movement in Ireland, and putting the American people to the test as to whether they would stand by the expressions which they had used in the heat of the war. However, whether this was so or not, any representation tending to allay the feeling of irritation which existed in America on account of outstanding claims would also tend to defeat the Fenian schemes. It was, therefore, of the utmost consequence to prevent the possibility of an armed insurrection in Ireland placing the people of America under the necessity of standing by the words which they had repeatedly uttered. The American people might bring great pressure to bear upon the Government, and the result might possibly be that we should find Fenian vessels of war cruising like the *Alabama*, and putting us to the greatest inconvenience. He thought, therefore, that the time had now arrived when we might make representations to the American Government with reference to the outstanding claims between the two countries; and it might perhaps be expedient to adopt a suggestion which had been made earlier in the evening, that a conference should be held to inquire into the present defective condition of International Maritime Laws in which those claims might very properly be entertained. If the Neutrality Laws were not altered, we should be constantly liable to disagreeable questions, such as were now arising between Chili and Peru and Spain. No settlement of the difficult questions which were sure to arise between this country and America could take place so long as laws respecting them were in force which were enacted fifty years ago, and had reference solely to the state of things which existed before the invention of steam vessels. As long as such antiquated laws existed, and as long as no attempts were made to adjust them to the present state of things, differences would be constantly springing up between the two countries. To avert such a calamity it would be necessary to modify the laws in question, and that could only be done with the concurrence of the American Government, and we could not hope to obtain that concurrence without admitting that the modifications proposed should have to some extent a retrospective effect. It might be said that it was inconsistent with our honour to make a proposal on the subject to the American Government; but in his judgment it would be in no way inconsistent with the honour and dignity of this country to repair, as far as possible, injuries inflicted by a law which we could not at the time alter in consequence of our neutral position, but which we were willing to alter now. He would not detain the House any longer, but would conclude by repeating that he felt it of the utmost importance that the remonstrances suggested by the hon. Gentleman should not be made.

MR. YORKE said, he was glad to hear the hon. Gentleman admit, at the conclusion of his speech, the grave character of a question which at the beginning of it he had treated in too jocular a manner. He was unable, however, to agree with the hon. Gentleman that the re-opening of all the complicated questions which arose during the late war would be the best course for the Government to adopt for bringing about the kindly feeling which he hoped would be maintained by both countries. It was a misfortune that Irish affairs were always viewed under two opposite aspects. Only a few days ago, for instance, the House was in solemn conclave on the course proposed to be adopted by the Government in consequence of the serious emergencies which had arisen in Ireland. To-night, on the contrary, the House had been told that the matter was treated in America as a matter of jest, and that it was wrong to regard the subject as one which Her Majesty's Government could legitimately bring under the notice of the Government of the United States. For his own part, he thought that the hon. Member for Stockport had done great service in bringing this question before the House. He thought, moreover, that the right hon. Gentleman the Chancellor of the Exchequer had avoided the real question. No want of faith was imputed to the American Government; no blame or breach of national obligation was charged upon them; but what the hon. Gentleman had said was that this Fenian organization had existed for years in America, had raised large sums of money, manufactured and exported large quantities of arms and ammunition, and sent subsidized agents to this country to excite sedition. The hon. Gentleman had asked why we should be afraid of urging upon the American Government the importance of giving their attention to this state of things. We had a large diplomatic establishment in foreign countries, and the matter must long ago have been communicated to the Government. They could not be the only persons ignorant of it. He sincerely hoped, now that the serious attention of the Government had been called to the facts, the House would soon have the satisfaction of hearing that some action had been taken in reference to this subject.

MR. WALPOLE: Sir, I shall address only a few words to the House upon the present occasion, for I have been so deeply impressed with the last observation which fell from the Chancellor of the Exchequer, that I hope the House will not prosecute the discussion. There are now two grave propositions before the House. One of them, emanating from the hon. Gentleman opposite, calls upon the Government to discuss one of the most difficult international questions which can be conceived—namely, what is to be the conduct of different countries with regard to the Foreign Enlistment Act. The other, brought forward by the hon. Member for Stockport, without any specific notice, drawing the attention of the Government to the particular question to be considered, has reference to the representations to be made to a friendly Power and ally with regard to its relations with this country. I regret to see questions so grave, so difficult, and so embarrassing, nay, questions which may involve this country in a controversy the end of which none can foresee, brought forward on a Motion for going into Committee of Supply, and I think that, while the House has an undoubted right to debate with perfect freedom any question that may be brought before it, it will be advisable under the circumstances not to continue the present discussion. I will only add that a grave matter like this, affecting Ireland and our relations with the United States of America, ought to be brought before the House upon a specific Motion, after due notice has been given to the Government. I hope the House will not prosecute this discussion further, as a decision cannot now be arrived at which would give satisfaction to the House and to the country.

MR. THOMAS HUGHES said, no Member of the House had been more delighted to hear the course the discussion had taken than himself. The tone that had been taken by the Government and by all the hon. Gentlemen who had spoken, showed that the House was most sincerely and most deeply anxious to maintain friendly relations with the United States of America. The hon. and learned Gentleman (the Attorney General) in the earlier part of the debate, had said, in speaking of the question of arbitration in reference to the *Alabama* and other vessels that went out from this country during the American war, that there were two reasons which, in his opinion, prevented the country from going to arbitration. The first reason was that nations must not compromise their honour, and the hon. and learned Gentleman said that dishonour might have been imputed to this country if we had gone to arbitration. He (Mr. Hughes) thought he had a right to ask why? If the Government had been right in their contention there could have been no dishonour in taking that course. He felt very strongly upon that point. It was all very well to say that it was with nations as it was with individuals, that they were the guardians of their own honour, but even in the days when duelling flourished, and men were apparently more jealous of their honour, the duellists had seconds who formed a court of arbitration to which the principals went, before going to the great argument *arbitrium*. The second of the hon. and learned Gentleman's reasons was that it would have been a dangerous precedent if the Government had held themselves responsible for the acts of subjects which could not have been prevented. In that, however, the learned Attorney General begged the whole question, which was whether or not these acts could have been prevented. The American people said that they could have been, and though he did not say that he agreed with them, as he thought it very probable that those acts could not have been prevented, still he thought it would have been better if the matter had gone before an impartial tribunal, so that it might have been proved whether prevention could have been applied or not. He did not wonder at the soreness of the Americans, or at their saying that the lion's paw was the only law with John Bull. That whether right or wrong we would have our own way, and would not submit to an impartial tribunal. It had been said that the American Government had treated France and Spain in a very different manner to that in which they had treated this country, and he believed that to have been the case, but France and Spain had treated America in a different manner from that pursued by this country, and had allowed no *Alabamas* to leave their shores. [*Cries of* "Oh, oh!"] Hon. Gentlemen might say "Oh, oh!" but he had, he believed, taken more trouble to understand America than most Gentlemen in that House. He could not see what reason we had to refuse to go to arbitration, though he refrained from expressing his opinion as to whether that tribunal would decide we were right or wrong. The complaint of America was simply this, that we somehow or another, whether rightly or wrongly, allowed certain vessels to escape from our ports, and to prey upon their commerce, and when they asked us for an impartial tribunal of arbitration we refused it.

REGISTRY OF DEEDS OFFICE (IRELAND).—QUESTION.

MR. DILLON asked Mr. Chancellor of the Exchequer, Whether it does not appear by a Parliamentary Return of July 1864, No. 557, that between the 31st day of May 1830, and the 31st day of May 1864, the Surplus Fees of the Registry of Deeds Office (Ireland), lodged to the credit of the Consolidated Fund, amount to £41,710 8*s.* 7*d.*, of which sum (as appears by the same Return) only £800 has been allocated by the Treasury for the purposes of the Office, leaving a balance of £40,910 8*s.* 7*d.*; whether, having regard to the 35th section of 2 & 3 *Will.* 4 c. 87, the above mentioned appropriation of such Surplus Fees is not contrary to law; and, whether there is any objection to lay upon the table Copies of any Memorials addressed, during the last three years, by the Corporation of Dublin, or by any other public bodies or individuals in Ireland, to the Lords of the Treasury, in relation to the Surplus Fees of said Office, and the application thereof? He said, he respectfully submitted that this sum of £40,000, Irish money, had strayed away into the Consolidated Fund, and was now appropriated contrary to law, and ought to be restored to Ireland.

Mr. CHILDERS said, the statement of the hon. Gentleman was, on the whole, correct. During the last thirty-three years the difference between the amount of fees received in the Registry Office and the expenses of that office somewhat exceeded £40,000—that is to say, the fees had amounted to more than £13,000, while the expenses were about £12,000 per annum. Now, on an average of thirty-three years, a little more than £1,000 a year was not a very large sum, and would not be enough to make it prudent or practicable for the Treasury to reduce the fees. If they did so, there would not be enough in many years to pay the salaries of the officers of the court. Further, though on the average there had been a surplus for the last thirty-three years, latterly that surplus had ceased, and if the hon. Gentleman would refer to the Estimates of last year and of this he would find that the fees at present were not sufficient to meet the expenses of the court. Meanwhile, an Act of Parliament had been passed, under which the whole of the fees went into the Exchequer, and the expenses of the court were defrayed in the usual way by the Votes of that House. When the hon. Member talked over the surplus having strayed away from Ireland into the Consolidated Fund, he forgot that it was paid into the Consolidated Fund of Great Britain and Ireland; and he (Mr. Childers) feared that if an account were taken on this basis Ireland would be found largely indebted to the Consolidated Fund for deficiencies, and for repayments excused.

SUPPLY—MARRIAGE PORTION OF THE PRINCESS HELENA.

Order for Committee read; Her Majesty's Message [20th February] relative to the Marriage of the Princess Helena *referred; considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Sir, I rise for the purpose of moving that the sum of £30,000 be granted to Her Majesty for the marriage portion of the Princess Helena Augusta Victoria, and I must accompany this Resolution by a very few words for the purpose of obviating a misapprehension which might possibly, for want of care, have grown out of language used by me yesterday with regard to the subject of the annuity of the Princess Helena. I pointed out to the Committee, as was no more than just, that the Princess Helena had been called upon to perform a very peculiar part, which had been performed in the most admirable manner, during the dark and trying time of the life of the Queen. I had then in my mind the years that have elapsed since the lamented death of the Prince Consort, but I ought to have noticed at the time—it was an inaccuracy not to do so—that several months passed before the Princess Helena found herself in the position of the eldest unmarried daughter of Her Majesty, and that during these months that position was filled by the Princess Alice, now the Princess Louis of Hesse, who afforded to the Queen the same solace and support, with the utmost devotion of mind and heart, which subsequently, after the marriage of the Princess Alice, were afforded by the Princess Helena. It remains perfectly true that during the greater portion of the time the Princess Helena has filled that position, but I was anxious to remove any misapprehension which might be due to the language which I used.

Resolution *agreed to*:—£30,000, Marriage Portion of Princess Helena.

Resolution to be reported on *Monday* next.

PRINCESS HELENA AND PRINCE ALFRED.

MESSAGES FROM HER MAJESTY.

Resolutions [February 22] *reported.*

Resolutions *agreed to.*

Bill on First Resolution *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Sir George Grey.

Bill on Second Resolution *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Sir George Grey.

CATTLE PLAGUE BILL—[Bill 32.]

(*Mr. Hunt, Mr. Holland, Mr. Banks Stanhope, and Sir James Fergusson.*)

CONSIDERED AS AMENDED.

[The Bill having been *Committed, Recommitted,* and *Considered as Amended,* without having been *re-printed,* great difficulty has been experienced in following out the Motions for Amendments, particularly those of which no Notice had been given. When a Clause has been *agreed to,* with or without Amendment, the small figures added refer to the No. of the corresponding Clause in the re-print of the Bill No. 32.]

Bill, as amended, *considered.*

Mr. LOCKE KING moved to leave out Clause 21, and insert the following clause:—

"Any calf, if sound, not being more than twenty-one days old, may, notwithstanding anything in this Act, be moved with a licence on any public highway from any place where the same shall have been dropped to any other place, not being more than ten miles from such place, upon a *bonâ fide* purchase of the same by the occupier of the place to which the same shall be so removed."

Clause *brought up*, and read the first time.

Motion made, and Question, "That the said clause be now read a second time," put, and *negatived*.

New Clause (Penalty on moving Contrary to Act,)—(*Mr. Hunt*,)—*agreed to*, and *added* to the Bill. [*cl.* 14.]

Mr. BARING moved the following clause:—

"When by any Act of Parliament it is enacted that any payment, compensation, or allowance shall or may be made by any local authority to any owner or keeper of cattle slaughtered under or in pursuance of any direction or power in any such Act contained, such enactment shall not extend or apply to the case of cattle arriving by sea at any port within twenty-four hours of such arrival."

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said clause be now read a second time."

General DUNNE opposed the clause. He objected to Irish cattle being dealt with in the same manner as cattle imported from abroad as far as regarded compensation, while the owners of the latter cattle were allowed advantages not given to those of the former.

Colonel GREVILLE reminded the hon. Gentleman the Under Secretary that the cattle disease had not appeared in Ireland.

Mr. FLEMING suggested that on the arrival in this country of cattle from Ireland or abroad the number of living animals should be compared with the number shipped, and if it was found that any animal had died on the passage all the remaining ones should be destroyed.

Motion, by leave, *withdrawn*.

Clause *withdrawn*.

Mr. BARING moved the following clause:—

"From and after the passing of this Act any Officer of Customs shall seize any meat imported or brought into the United Kingdom which is unfit for human food, or likely to spread the cattle plague, or any other disease, and shall seize all hides, hoofs, horns, and other parts of any animal which may be found likely to spread such plague or disease; and such meat, hides, hoofs, horns, and other parts of any animal shall, after seizure thereof, be destroyed in such manner as the Commissioners of Customs may direct."

Clause *agreed to*, and *added* to the Bill. [*cl.* 52.]

Viscount CRANBOURNE called attention to the fact that in the preamble to the Bill a number of symptoms were set forth as those by which an animal suffering from cattle plague might be recognized. From the construction of the clause it might be held that as this was a penal Act no animal could be slaughtered under it unless it had all those symptoms. He therefore moved that those words should be omitted from the preamble.

Words *struck out*.

Mr. BARING moved to insert a new clause (Evidence of Orders).

Mr. WALPOLE said, that under the former Act of Parliament it had been found necessary to indemnify all parties who had acted under the Orders in Council, and it would be very desirable to introduce some clause specifying the kind of Orders they should pass, because if they should pass Orders in Council as extensive as those now in force, they might have to come to Parliament again for an indemnity.

Mr. BARING said, he was quite aware of the importance of the point to which the right hon. Gentleman had referred.

Clause *agreed to*, and *added* to the Bill. [*cl.* 51.]

On Motion that the Bill be read a third time,

Sir GEORGE GREY said, he thought it would be found impossible to apply any one rule to various parts of the country, because the local authority and other circumstances differed so much in character; and he feared that the Bill would in consequence tend to spread the disease rather than check it.

Mr. HUNT remarked that if the right hon. Gentleman held the opinion he expressed it was a pity he had allowed the Bill to pass.

Mr. DALGLISH said, the Bill had been passed very hastily, and he feared it would prove a crude measure in many respects.

Sir JAMES FERGUSSON observed, that the Bill had been very carefully considered and passed in opposition to the

Government measure. He was sure the thanks of the House and country were due to his hon. Friend (Mr. Hunt) for the trouble he had taken in respect of the matter. He felt convinced the measure would not be found ineffectual for its object.

Bill read the third time, and *passed;* to be *printed.* [Bill 34.]

MONUMENT TO VISCOUNT PALMERSTON.

Resolution [February 22] *reported.*

Resolution *agreed to, Nemine Contradicente:*—To be presented by Privy Councillors.

CATTLE DISEASES (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to Contagious Diseases amongst Cattle and other Animals in Ireland.

Resolution *reported:*—Bill *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND, Mr. SOLICITOR GENERAL for IRELAND, and Sir GEORGE GREY.

Bill *presented,* and read the first time. [Bill 37.]

PUBLIC COMPANIES BILL.

On Motion of Mr. DARBY GRIFFITH, Bill to alter and improve the Law relating to voting in Public Companies, *ordered* to be brought in by Mr. DARBY GRIFFITH and Mr. ROBERT TORRENS.

Bill *presented,* and read the first time. [Bill 35.]

HOP TRADE BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend an Act of the fifty-fourth year of King George the Third, chapter one hundred and twenty-three, to prevent Frauds and Abuses in the Trade of Hops.

Resolution *reported:*—Bill *ordered* to be brought in by Mr. HUDDLESTON, Sir BROOK BRIDGES, and Sir EDWARD DERING.

Bill *presented,* and read the first time. [Bill 36.]

ROCHDALE VICARAGE BILL.

On Motion of Mr. WALPOLE, Bill for vesting the glebe lands of the Vicarage of Rochdale, in the county of Lancaster, in the Ecclesiastical Commissioners for England, and for making provision for the endowment of the said Vicarage in lieu thereof, and for the promotion of other ecclesiastical purposes connected therewith, *ordered* to be brought in by Mr. WALPOLE and Mr. BOUVERIE.

Bill *presented,* and read the first time. [Bill 38.]

Sir James Fergusson

MERCHANT SHIPPING ACT (1854) AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Merchant Shipping Act, 1854."

Resolution *reported:*—Bill *ordered* to be brought in by Mr. MILNER GIBSON and Lord CLARENCE PAGET.

House adjourned at half after One o'clock till Monday next.

* * *

HOUSE OF LORDS,

Monday, February 26, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Cattle Plague (27).

Consideration — Telegraph Act Amendment * [H.L.] (13).

CATTLE PLAGUE BILL—(No. 27.)

(*The Lord President.*)

FIRST READING.

Cattle Plague Bill *brought up* from the Commons.

EARL GRANVILLE said, this would be a convenient time to make some arrangement with respect to the Cattle Plague Bill, which would be formally brought under the notice of the House that evening. In consequence of the suggestion of the noble Earl opposite (the Earl of Derby), that the Government should take charge of the Bill, he had consulted with the Prime Minister and his other Colleagues, who were of opinion that Her Majesty's Government could not take charge of the Bill in its present shape. He hoped, however, that some independent Member of the House would take charge of it; in which event he should give notice of considerable Amendments which would be proposed on the part of the Government. Notice of these Amendments would be given at the earliest moment, in order that they might be printed and placed in the hands of their Lordships without delay. If any other noble Lord should wish to move Amendments, he hoped early notice would be given of them. If, however, a Motion should be made to refer the Bill to a Select Committee, he would support that Motion; because he believed that by adopting that course there would be very little delay, and he thought it could be dealt with in a more satisfactory manner by such a Committee than by a Committee of the whole House.

THE EARL OF DERBY said, he much regretted the determination which had been communicated by the noble Earl, because he could not help thinking that a Bill of this importance and character, however it might have originated, ought to be in the hands of the Government. Indeed, originally the whole subject, so far as regarded the movement of cattle by railway and on high roads, was taken up in the Bill introduced by the Government. So many difficulties, however, were raised with regard to part of the question, and so many Amendments were moved in the other House, that it was thought better that one portion of the Bill should be agreed to and sent up to their Lordships without delay, and that the other portions should be taken into consideration in conjunction with the rival Bill which had been introduced by an independent Member of that House. In what shape that Bill had or might come out of that House he could not say, for, though nominally it had been introduced by the hon. Member for Northamptonshire (Mr. Hunt), it had undergone at the hands of Her Majesty's Government so much alteration and so many changes, that it was doubtful whether the hon. Gentleman himself could now recognize his own measure. Now, seeing that this Bill formed part of a very important Government arrangement, and was supplementary to, and, indeed, formed part of a Bill which the Government originally introduced, whatever alterations the Government might desire to make in it, he could not help thinking that it should not be left to the chance of being taken up by some independent Member of their Lordships' House, but that it ought to be dealt with by Her Majesty's Government. He thought that when it did come before their Lordships it would require a good deal of consideration, and would be difficult to understand, as he was told that Amendments had been introduced to such an extent that the original scope and tendency of the Bill had been entirely altered. He hoped the Government would take into consideration how far they could consent to the principle of the Bill, what Amendments they desired to introduce, and that they would then bring in the Bill with such alterations as might be deemed desirable. He thought that very great delay and confusion would be sure to take place if the Bill were thrown loosely before them, leaving it for all the Members of their Lordships' House to advocate it or make such objections to it as might occur to them. He believed that if the Bill should pass under such circumstances, it would be a very unsatisfactory one. He must repeat that he thought the Government ought to take up the Bill; but rather than that it should be dealt with in the way to which he had just referred, he would prefer to accede to the noble Earl's suggestion, and have it referred to a Select Committee, as he thought less time would be lost in this way.

EARL GRANVILLE agreed that it would be difficult to say precisely in what shape the Bill would come up to their Lordships; but the Government would prefer that it should not pass rather than it should pass in its present form. The principle of the Bill was to prevent the removal of beasts by highways, railway, canal, or river; but he understood there were no less than fifteen exceptions to that Bill, independently of other exceptions arising from powers given to the Privy Council to issue Orders for the local authorities to carry out; and, moreover, the Bill was not to last more than three weeks. The Government were of opinion that it would be difficult to have the provisions of the Bill sufficiently understood in a short time, so that the appointment of officers and other preliminaries might be completed within three weeks. But, as the noble Earl opposite had remarked, added to the Bill were several clauses which would be supplemental to provisions contained in the Bill passed the other day, and he therefore thought it would be a pity and a loss not to have an opportunity of considering those clauses, whatever might be their opinion of the Bill as a whole. In reference to an observation which had fallen from the noble Earl, he must say that the Bill had been altered in the House of Commons, not only in consequence of objections made by Her Majesty's Government, but also in consequence of differences of opinion between the hon. Member who had charge of the Bill and eminent agriculturists on both sides of the House. He hoped that the noble Earl would understand that the course he proposed to take was one entirely consistent with usage. If, however, no independent Peer was willing to take up the Bill, he, as a Member of the Government, was ready to do so; but on this clear understanding, that the Government would only adopt such parts of it as they approved, and as they thought would be useful by way of supplement to their own Bill.

THE EARL OF DERBY said, he was glad he had induced the President of the Council to rise a second time, because the noble Earl was now about to take a course in which, under the circumstances of the case, he entirely concurred.

EARL GRANVILLE then moved that the Bill be now read the first time.

Bill read 1ª; to be *printed;* and to be read 2ª *To-morrow.—(The Lord President).* (No. 27.)

ROMAN CATHOLIC CHURCH (IRELAND).

OBSERVATIONS. MOTION FOR A PAPER.

VISCOUNT LIFFORD rose to call the attention of the House to the Causes of the present condition of Ireland, and to ask Her Majesty's Government, Whether it is their intention to introduce any Measure into Parliament providing for the support of the Roman Catholic Clergy of Ireland, independent of the contributions of the people? and also to move for a Return of the Parochial Clergy of the Roman Catholic Church in Ireland, distinguishing between those who are Parish Priests and those who are Curates. The noble Lord said, that on Saturday week Parliament passed a Bill which placed the liberty of every man in Ireland at the discretion of the Lord Lieutenant. It would not have been fitting on that occasion to make any remark except in approval of the conduct of Her Majesty's Government, and of the forbearance, firmness, and promptitude of the Lord Lieutenant: but that Bill having become law, he thought it not less befitting that an early opportunity should be taken of expressing the shame and sorrow which must be felt by every Peer of Ireland—shame at the want of sense shown by a number of their countrymen, and their want of appreciation of the first principles of civilization; sorrow that those who were now approaching "the sere and yellow leaf" could never hope to see Ireland prosperous and in the condition she should be as an integral part of this great Empire. Though the Act for the suspension of the Habeas Corpus had passed through their Lordships' House almost *sub silentio*, it was not so in the other House of Parliament. It was now matter of history that a noble Lord of great promise (Viscount Cranbourne), nearly connected with a Member of their Lordships' House, and the leader of Democracy in the other House, were agreed in this principle—that the evils of Ireland were not due to the population, for the Irish people flourished in every country but their own. They were not due to the small farms; for in Belgium these were to be found. They were not due to Popery, for this was in France and Belgium also. But, to use Lord Cranbourne's words, "the one point peculiar to Ireland was the English Government." Up to Sunday week Ireland was as free as England and freer than any other country than England; while she had a lower franchise and less taxation than this country. It could not be the tithes which kept down the population, because they were paid by the Protestant landowner to the Protestant Church. What was it, then, that was driving Irishmen out of Ireland, hating the institutions of their country, while Englishmen and Scotchmen went forth not only without carrying with them any such feeling, but, on the contrary, admiration? Why were Irishmen in America banded together as Fenians with the one sole object of injuring the Queen's Government and degrading this country in every way possible? Let them ask, "Who were the Fenians?" About thirty years ago an Under Secretary for Ireland laid down the axiom—"Property has its duties as well as its rights," and within the last thirty years the greatest efforts had been made by the Irish proprietors to improve their properties, and consequently to better the condition of the people. One necessary part of the improvement was the consolidation of farms where the holdings were too small to afford a decent subsistence to a family, or to allow of the improvement of agriculture; and in that process of consolidation it was absolutely necessary to remove a great number of occupants. In addition to this, numbers of the growing up young men were obliged to go out to work, instead of depending for their livelihood on a share of their father's farm. The disturbed state of the country precluded the investment of capital; and the consequence of these combined causes was a large emigration to America. Naturally care was taken that it was not those of the best character who went, but wherever there was a black sheep in the family, or a drunkard, these men went to America, and the consequence was that for twenty or thirty years the whole refuse of Ireland had been poured into North

America. There were also the refugees who were obliged to leave Ireland after 1848, and those classes which he had enumerated were the main source of American Fenianism. The Fenians in America levied a sort of black mail on their more industrious countrymen, who, he was sorry to say, were not as unwilling as they ought to be to pay it. Now, who were the Fenians at home? Compared with the population, he believed that the sworn Fenians were not a great many; but he lamented to think that nearly the entire of the lower classes sympathized with them. How was it that the Irish, who were now better fed, better clothed, and better taught than they used to be—unlike the people of Canada or those of any other country—were prepared to welcome armed invaders, who endeavoured to bribe Her Majesty's troops by promising them the land for their reward, and women for their prey? How was this to be accounted for? In the first place, the Irish at home who sympathized in the Fenian movement did not know the real consequences to themselves of a foreign invasion; in the second, they believed firmly that an Irish Republic would receive great assistance from America; and thirdly, they believed that the result would be every man would get the fee-simple of his own farm. Did noble Lords suppose that at the time of the Reform Bill elections were carried in the teeth of Irish landlords solely from the desire to give new Members to Birmingham and Manchester? There was an ingredient in these elections of which noble Lords might have heard a little, or to which, perhaps, they had turned a deaf ear—and that was the hope held out to the Irish population of fixity of tenure. At that time every man in Ireland was induced to think that the land was not the rightful property of the owner, who was a sort of usurper, holding by force and not by justice; and that the land ought to be the property of the tenant. To persons educated in such a belief was it wonderful that they should grasp what appeared to them the realization of hope long delayed, held out to them by the great Republic of America? He was most unwilling to refer to these old stories, for the whole basis of Ireland's prosperity, if ever she was to be prosperous again, must be forgetfulness and forgiveness of the past. In searching, however, for some small excuse for his unfortunate and deluded fellow-countrymen, if they went to the sources of Ireland's misery, and now of her degradation, he must tell their Lordships that it was England that had sown the wind, and now must reap the whirlwind. Take the manner in which the British Government had treated the Irish question. The Irish landed proprietors were altogether loyal. He did not believe there was a single man possessing land in his own right in Ireland who was disloyal. They and the Scotch settlers in the North formed, in fact, the English garrison. One would suppose it the interest of England to extend to the utmost the influence of such a body. But the conduct of the Irish Government had been exactly the reverse. Whatever might be their object, the practice of the Irish Government seemed to have been to diminish the influence of the Irish gentlemen. They had not the same control over the police that the English gentry exercised; they had no control over the public-houses; if they had, they would have found it much more easy to put down Ribandism. In Dublin Castle the word of a police-officer weighed down the representations of a whole body of gentlemen. It was not yet a year and a half since a gentleman of old family and large estates was dismissed from the commission of the peace because he wrote a letter to the effect that he held his commission to protect the people against the police. That was an unnecessary assertion to make, and it might have been altogether erroneous in principle; but, holding that opinion conscientiously, he did not see that there was anything unconstitutional in expressing it, and certainly there was nothing to call for his summary dismissal. Some years ago two baronies in the neighbourhood where he resided were proclaimed under the Peace Preservation Act. Last autumn that proclamation was suddenly withdrawn. He felt bound to say for himself and brother magistrates that if they had been consulted as to that step they would no doubt have concurred in the propriety of withdrawing the proclamation. The county to all appearance was perfectly peaceable, and there had been almost a maiden assizes. But at the time he knew nothing of the extent of the Fenian conspiracy, and he concluded that in October last the Government knew as little, or they would not have withdrawn the proclamation. The consequence was, however, that the county was immediately filled with arms. The fact in connection with the withdrawal of the proclamation to which he wished to direct the attention of the House was that it was withdrawn without a word said to the lord-lieutenant of the county or to any of the magistrates. It was withdrawn simply as a boon to the people from the Government. Had the Government shown the common grace and common courtesy of informing the gentry of what was going on, of enabling them to say at petty sessions, "We have been consulted as to this matter, and we have advised the Government to withdraw the proclamation ; do not disgrace the trust the Government put in you," he knew the generous nature of his countrymen too well to doubt that they would have responded in a becoming spirit to the appeal made to them. But no—that would have been too great a condescension on the part of the Irish Government. Not the slightest intimation reached the magistrates of what they were about to do. The next subject he wished to touch on was a somewhat dangerous one—the treatment of the Orangemen. He had never been an Orangeman—he never would be an Orangeman. Would to God they might never hear more in Ireland of the Battle of the Boyne, of the Rebellion of 1798, or of differences of race! That no differences of race really existed was proved by the ludicrous efforts made by the Fenians to Hibernicize their names, putting an O before such old Saxon names as Baldwin, and other absurdities of that kind. Except in remote parts of Ireland, one never heard anything of differences of race. The Government of England, however, had no right to confound the loyal Orangeman with the traitorous Ribandman. They both, it was true, were members of secret societies ; but Orangemen had been spoken of as "the most noble, generous, and patriotic body of men that any country ever saw." And by whom did their Lordships suppose that was said ? The words were those of Daniel O'Connell. Above all, the Government had no right to allow the emblems of treason and disloyalty to be flaunted through Dublin at the same time that they punished loyal Orangemen for parading what they believed to be emblems of loyalty and religion. There sometimes sat on the cross-benches of that House—honoured by the present race of Irishmen as he had been honoured by their fathers and grandfathers —a man of the highest character, of unbounded charity to Protestants and Roman Catholics, formerly a just and influential magistrate. He meant the Earl of Roden—for as the noble Earl was absent he might name him. Yet Lord Roden had been dismissed from the commission of the peace, because he entertained in his park a body of Orangemen, most probably the sons and grandsons of those who rode with his father in the Rebellion of '98, and did good service there; and because on their way home an affray took place which Lord Roden would have risked his life to prevent, and with which he had no more to do than the noble Earl opposite. In what light were acts such as these regarded in Ireland ? They were regarded as cajolery, prompted by fear ; and that certainly was not the way to deal with Irishmen. No doubt, these acts were meant for purposes of conciliation, and as a set-off against the old system of the penal laws. But a policy of conciliation, when it led to a suspension of the Habeas Corpus Act, was not worth much. When, therefore, the liberties of Ireland were restored, he hoped that justice, severe though it might be, yet even-handed justice, would be dealt out to that country, and that all classes would be treated as they were treated in England and Scotland. A thing above all others to be avoided was the application of different principles of legislation to Ireland from what were applied to England. Before long they would have to deal, he felt convinced, with the land question. Let them not apply to Ireland any legislation which they dared not apply to England or Scotland. In both countries in the case of estates entailed upon distant relations, and perhaps heavily encumbered, it might not be a bad thing to vest in the tenant the power of making necessary repairs and improvements, always, however, with the consent of the landlord. But it was absolutely necessary to do away with the extravagant expectations which were entertained on the subject of fixity of tenure, and with the present bastard system of tenant-right in the North of Ireland, which was carried to lengths injurious alike to the landlord and the tenant ; above all, it was necessary to break through that vicious circle in which the turbulence of portions of the population prevented the outlay of capital, and the want of capital kept masses of the population from ever elevating their position. Sooner or later it would be absolutely necessary on those three grounds to deal with the land question in Ireland. Parliament would also before long be called on to consider two other questions intimately associated with the state of feeling in that country—the Irish Church, and the payment of the Roman Catholic priests. To those of their Lordships—and he trusted they were the great majority—who recognized the Irish Church not as a State creation and endowed by the State, but as a reformed branch of the Church Catholic, legitimately inheriting the greater part of her property through a succession of Bishops from the remotest times, and receiving additions to that property as a Reformed Church, there was no need for him to address any observations in confutation of schemes for alienating the property of that Church from its legitimate uses. But one of those original uses was education. By the constitution of the Church every clergyman was formerly bound to keep a school. Their Lordships, consequently, might redistribute that property, applying a large portion of it, if they thought fit, to purposes of education. In doing this they would set free a considerable part of the sum now expended on National Education which, with other sums to be added, of course they might apply to any other uses. One of the principal of those uses—he might take leave to say—should be the support of the Roman Catholic clergy. The Roman Catholic priests of late years had done good service to the State; and he had already said that to forgive and forget the past ought to be the basis of Ireland's future prosperity. In 1848 the Roman Catholic priests saved the people of Ireland being overridden by democratic and disturbing influences, and from the effects of an absurd, but most unfortunate rebellion. In 1866 the Roman Catholic priests had been doing their best to save the people again. During the intermediate years they had laboured with diligence to repress that phase of Fenianism known as the Riband conspiracy. If something were done to provide payment for the priests out of the parishes an interest would be given them in the land, the poorest class would, to a certain extent, be relieved, and, above all, something would be done to remove an anomaly which had provoked constant remark, and constituted the last trace of ascendancy of the few over the many. Land of the value of £220,000 a year would give 1,064 parish priests glebes worth £200 a year, subject to £25 a year for the Bishops who could have by that arrangement nearly £1,000 a year each. It might be said that the Roman Catholic priests would refuse this. No doubt they had a right to do so; but he did not think they would refuse. On the other hand, it might be said that conscientious Protestants would object to such a provision. If he believed that the peculiar dogmas of the Roman Catholic teaching would be advanced by this plan he would not persist in his advice for a moment; but from the days of Constantine downward, the religious advancement of a Church had never been promoted by its connection with the State. The ancient dictum might still be applied to every creed, every sect, the votaries of which are sincere, "The blood of the martyrs is the seed of the Church." It was not a religious but a political question. By giving support to the Roman Catholic clergy the Government would remove a political anomaly, gain a political advantage, and, above all, perform an act of grace to the Irish people. This was not the first time that these opinions had been pressed upon their Lordships from that side of the House. They were not new. They were the opinions put forward by Mr. Pitt at the time of the promulgation of his plan for an union with Ireland; they were the opinions of Lord Castlereagh, who knew the circumstances of Ireland well. He had sufficient confidence in the liberality of the noble Earl at the head of the Government to look forward with hope for a favourable answer to his question when he asked, Whether it was the intention of Her Majesty's Government to bring forward any measure for the support of the Roman Catholic priests in Ireland, independently of the support of the people? He also moved for Returns of the Roman Catholic clergy in Ireland, distinguishing between those who were Parish Priests and those who were Curates.

Moved, That there be laid before this House, Return of the Parochial Clergy of the Roman Catholic Church in Ireland, distinguishing between those who are Parish Priests and those who are Curates.—(*The Viscount Lifford.*)

EARL RUSSELL: My Lords, it is not my intention to enter into the various questions on which the noble Lord (Viscount Lifford) has dilated. I think it necessary to make some observations with reference to the remarks of the noble Lord in the latter part of his address. The noble Lord has quoted some opinions as those of Pitt and Castlereagh; but I would venture to say they do not accord with what I have always believed the opinions of those statesmen to be. I will not therefore deal with the opinions which the noble Lord imputed to them, and which at any rate the noble Lord has adopted, that some portion of the funds of the Protestant Establishment in Ireland should be applied to the support of the Roman Catholic priesthood—as to which I pronounce no opinion—but I will consider the question whether or not an endowment or grant from the Consolidated Fund should be given to the Roman Catholic Church in Ireland.

VISCOUNT LIFFORD: Perhaps I may be allowed to interrupt the noble Earl for a moment. I never proposed that any part of the funds of the Established Church of Ireland should be taken and applied to the purposes of the Roman Catholic Church. I intended to convey exactly the reverse.

EARL RUSSELL: What I understood the noble Lord to say was, that a portion of those funds might be given for the purpose of paying the Roman Catholic clergy, and also that the ascendancy of the Church of England ought to be obliterated. But at present I will address myself to the question, upon which so many various opinions have been entertained, whether provision should be made by the State for the Roman Catholic clergy of Ireland? Now, when Mr. Pitt first entertained the proposition it was his intention—the intention of a wise and great statesman—to combine the privileges granted to Protestants and to Roman Catholics, so that, in conjunction with the Irish Establishment, provision should be made for the Roman Catholic clergy of Ireland, in order that they might receive their annual salaries from the State. At the time when Mr. Pitt entertained that view the Roman Catholics were not allowed to sit in Parliament; they could not attain the offices of the State, and were hardly permitted, except in Ireland, to hold commissions in the army. It is obvious that the proposition, under those circumstances, was very different from that which we have now to consider. What Mr. Pitt intended —and wisely intended—to say to the Roman Catholics was—"Your laymen shall have all the secular privileges which English Protestants enjoy; and will you at the same time accept stipends for your Church, so that it may be united with the State, and thus we shall join in laying the foundation for future harmony in Ireland?" I conceive that was a very loyal project, and I believe that if he had been permitted by his Sovereign to frame and mature the measure he proposed, the state of Ireland now would have been very different from what it is. In 1825 two Resolutions were introduced into the House of Commons, one providing for the disfranchisement of the 40*s.* freeholders, a franchise which had then become an evil and a nuisance in Ireland; and the other proposing that a provision should be made by law for the payment of the Roman Catholic clergy of Ireland. These were the accompaniments of the Roman Catholic Relief Bill. [The Earl of DERBY: They were "the wings."] They were, as the noble Earl reminds me, called "the wings." I thought them wise accompaniments to the measure of Roman Catholic Relief, and as I had a vote in the House of Commons at that time, I declared my opinion and voted accordingly. At that time it was proposed that these measures should go together, and I think the Roman Catholic clergy might have been induced by their feelings of patriotism to say, "Although we should have preferred to be independent of any State provisions, yet, sooner than stand in the way of a final settlement of a difficult question, and thus hinder the Government in an attempt to do full justice to the Irish people, whether Roman Catholic or Protestant, we will accept this provision of the State, and combine with the English Government in laying the foundation of future internal peace." But, unfortunately, Lord Liverpool, the Prime Minister of that day, was opposed to the proposals, and the Resolutions fell to the ground. At the present time, my Lords, we have to consider this question under very different circumstances. The Roman Catholic clergy have seen a measure passed by which those of their faith are now permitted to take seats in Parliament and hold offices under the Crown; and they have seen that measure carried independently of any provision to the Roman Catholic clergy. They can have no such motive, therefore, to induce them to accept such a provision, as a desire to secure greater privileges for Roman Catholic lay subjects. But there are other obstacles in the way of making provision for the Roman Catholic clergy. We have among us some who are of opinion that all religious endowments on the part of the State are wrong; and the proposal to make provision for the Roman Catholic clergy could not be discussed in Parliament without exciting much religious animosity. And what is the disposition of the Roman Catholic clergy at the present time? Their disposition is the same as was described in my hearing by Archbishop Murray long ago, and repeated since in more emphatic terms. They desire to remain entirely free from any connection with the State, because they think that their independence and influence are bound up with their total freedom from any such connection. It is not for me to say whether they are right or wrong in that opinion. I can very well conceive their objections; and certainly the noble Lord must be well acquainted, as all your Lordships are, with the sentence of Mr. Burke in which he holds up the Roman Catholic Church of Ireland as an object of admiration on account of its independence. One thing, I think, is tolerably certain, and that is, that the influence of the Roman Catholic clergy over their flocks would be diminished rather than increased by such a grant, and as there are no persons more attached to their religious principles than are the Roman Catholics, the priesthood naturally desire to retain as much as possible the influence which they exercise upon the lay members of their body. Let us look for a minute, for instance, at what has already happened, and what, indeed, is even now taking place. The noble Lord (Viscount Lifford) says, and says with truth, that both in 1848, and at the present time, during this Fenian agitation, the Roman Catholic clergy have employed their influence in restraining their flocks from joining in the delusions which have been so rife about them, and that their influence has been exerted to promote order and law, and to preserve the tranquillity of the country, while those engaged in these conspiracies have been so anxious to destroy it. But if the Roman Catholic clergy were in receipt of stipends from the State, it is obvious that this aid would be made the subject of reproach by the Fenians and those attached to their cause, and that their efforts for the promotion of peace and order, and their warnings against the dangers of the delusion to which so many have given way, would lose much of their power. Therefore I consider that, both as regards the general indisposition of the Protestants to make a grant for the Roman Catholic clergy, and as regards the disposition of the Roman Catholic clergy themselves, it would be most unadvisable on the part of any Government in the present day to propose such a grant as Mr. Pitt and others proposed for the Roman Catholic clergy. I do not say that some future Government may not find it advisable to propose a measure of this kind; but, at the present time, I think such a course would be most impolitic, and I have no hesitation, therefore, in saying that the Government have at present no intention of making any such proposal. I am sorry if I misunderstood the noble Lord, but my impression is that he urged that some portion, at all events, of the funds of the Protestant clergy should be applied to the education of the people of Ireland, and that his argument was that such a course would to a certain extent lessen the feeling which exists so generally against what is termed the Protestant ascendancy. The constitution of Ireland is certainly peculiar and unfortunate for that country. From the time of the Reformation down to the present day the condition of Ireland has differed from the state of almost every other country. At the time of the Reformation, the landed proprietors of the country, and I believe, in the first instance, the higher orders of the clergy, accepted the doctrines of the Reformation, while the great mass of the people and the clergy, who are the teachers of the people, adhered to their ancient faith. That fact has been the cause of a most unfortunate difference between the Protestant Church Establishment and the Roman Catholic body—namely, that those who are endowed—those to whom are assigned by law the property of the Established Church—are not those to whom the mass of the people look for spiritual guidance and instruction, and those who are the teachers of the people are not those who receive the salaries and endowments of the State. Such a state of things is totally different from that which obtains in the country to which the noble Lord alluded—namely, Canada, where, when you made your capitulation, you allowed the Roman Catholic clergy to retain the property of their church, to continue the teachers of the people; and therefore the property of the Church, the teachers of the people, and the people themselves, are all agreed, and no adverse dispositions prevail. With regard to the principle which the noble Lord has adopted, I certainly am not the first to make an objection to it, because I think if by one single day's sitting such as we had the other day for the suspension of the Habeas Corpus Act, we could apply, after the present time, the funds of the Protestant Church to the purposes of education, in which the whole of the people could participate, we might possibly do much to establish peace in Ireland; but we all know that the introduction of such a measure would be the signal for much animosity and heart-burning. For the sake, then, of preserving peace, your Lordships will not be astonished that I should decline to introduce such a measure. Now, my Lords, I may say a few words, and they shall be but few, about what the noble Lord has said with reference to Ireland, and the remedial measures which might be passed for the benefit of that country. I think when it is said, in a very off-hand manner, "Why do you not remedy the evils of Ireland?" that we ought to remember the sources from which those evils have arisen, and the length of time which many of them have endured. It is now nearly 300 years since the landed proprietors and the higher clergy of Ireland adopted the principles of the Reformation, while the mass of the people remained Catholic; that it is 200 years since Acts of disqualification and penal laws against the Roman Catholics were passed by the Parliament of this country and by the Parliament of Ireland, thereby dividing the inhabitants of that country, so to speak, into the conquerors and the conquered, and arousing animosities and creating disqualifications which were not appeased and removed until some thirty-five years ago; and when we remember that in 1760 there began that state of land-holding, that multiplication of small cottages, that division between landlord and tenant, which has, unfortunately, continued to the present day —when we, therefore, have to deal with evils, some of them of 300 years, some 200 years, and others of 100 years duration, and all of them going to the very depths of the social condition of Ireland, it is not, I think, right for any man to say, that by measures passed in one Session of Parliament you can remedy the grievances of Ireland, and restore its inhabitants to complete happiness and prosperity. I should say, likewise, that if we look to the series of measures which have been proposed since 1829—a period of thirty-seven years —tending to promote the welfare of Ireland—the measure introduced by the noble Earl opposite (the Earl of Derby) for national education in Ireland, the subsequent measure for the introduction of the Poor Law, and to a measure for which Parliament and Ireland are indebted to my noble and learned Friend who sits behind me (Lord Romilly)—I mean the Incumbered Estates Act—when we consider these and similar measures which have been passed, I think we must confess that Parliament has not been indifferent to the welfare of Ireland; and it is satisfactory to find that instead of adding penal laws to penal laws, and disqualifications to disqualifications, Parliament has been anxious under various Administrations to improve the condition of Ireland. No series of measures can, however, be applied to Ireland suddenly with benefit. The measures proposed for the advantage of that country must be considered year by year, and regard must be paid to the opinions of the representatives of the Irish people, and of your Lordships, who are not only landlords in that country, but feel a great interest in its welfare. I will not, therefore, enter further into any of the subjects upon which the noble Lord has touched. I can only say that it is the aim of the Government to entertain considerately any well-founded complaints made by the Roman Catholics and Presbyterians of Ireland, and that their desire is to remedy any grievances of which they can justly complain. The question of land to which the noble Lord has referred, is one of the most difficult to deal with. I agree with him that that which works so smoothly and easily in England cannot be applied with such satisfactory results to Ireland. I have not myself, I confess, seen any measure proposed at once just to the landlord and to the tenants, and from which practical good was sure to arise. This is a question demanding still further inquiry and consideration; but I cannot help thinking that at least some measure might be passed which will prevent the recurrence of the scenes occasionally witnessed in Ireland—numbers of poor cottagers turned out of their dwellings in the middle of winter. It must, however, be remembered that many of the improvements so often spoken of are no improvements at all, and that they have in reality made the property on which they have been applied less valuable than before. Therefore, in any measure of the kind, there must not only be an application of general principles applicable to all countries and all times, but there must be a peculiar knowledge of the present state of the tenantry in Ireland, and the means by which it may be improved. I will not detain your Lordships longer, except to thank you for the courtesy with which you have listened to me.

THE MARQUESS OF CLANRICARDE said, that although aware that Ireland could expect but little from Parliament during the present Session, he much regretted the tone adopted by the noble Earl in reference to the specific question put to him by the noble Viscount (Viscount Lifford). After the noble Earl's statement, that he had voted for what was called "the wings" in 1826, it was scarcely to be expected that he would have put so decided a negative upon the advisability and possibility of a State provision being made for the Roman Catholic clergy in Ireland. He had long been of opinion that such a provision would be the best measure of legislation and of policy the Imperial Parliament could adopt towards Ireland. He trusted the noble Earl would permit him to find fault with the conclusions he drew from his historical illustrations. The noble Earl said that Pitt and Lord Castlereagh were in favour of such a measure, and the noble Earl might have added many other well-known names to the list; and he continued it would have been of great benefit to the Empire had such a measure been adopted at that time. The noble Earl then came down to 1826, when he voted for such a provision; but when he came to the present time, instead of telling them that he hoped a time might come when such a measure could be proposed to Parliament, he adopted a line of argument that entirely precluded the possibility of such a hope being fulfilled. But the argument of the noble Earl went much further—for it went to the extent if not of a total reprobation, certainly of an opinion adverse to all Established Churches whatever.

Earl RUSSELL: I did not state that as my opinion, but as the opinion of many persons.

The Marquess of CLANRICARDE was aware that the noble Earl had given the opinions of others as his reasons for not bringing such a measure forward; the noble Earl, whose courage and whose determination were so well known, and had been so frequently exhibited throughout his long and honourable life, was deterred from bringing forward a measure of this kind because certain people disapproved it; but did not the noble Earl think that at some future time—sixty years, thirty years, twenty-five years—some succeeding Ministers might not be saying, "What a pity it was that the measure was not adopted by Earl Russell in 1866!" But finding that the measure was not carried by Mr. Pitt, the noble Earl strengthened his argument by reference to the speeches and writings of Mr. Burke, long before. Did any one suppose that the measure could have been carried in Mr. Burke's day? But the noble Earl was not accurate in his history of Mr. Burke and his correspondence. Sir Hercules Langrishe, who was the particular friend and correspondent of Mr. Burke, was favourable to the measure before Mr. Pitt had declared his opinion. He confessed that he did not expect to hear a favourable reply from the noble Earl to the question put by the noble Viscount. The subject was a most difficult one, and he should not have been in any way surprised had the noble Earl refused at that moment to pledge himself and his Government to the measure proposed—still, he had expected that some hope would be held out that such a provision should be made—contingently, it might be, with its being accepted by the Roman Catholic clergy—a contingency not very likely to occur at the present moment, as that body had in different ways specifically stated that they were not disposed to accept of any provision by the State. He did not know what reason they could have for refusing such a provision, but on principle they did not refuse it, because in 1799 the prelates of the Roman Catholic Church assembled in Dublin stated that in case such a provision could be made consistently with the maintenance of the authority and discipline of their Church, they would gratefully and thankfully accept it. Doubtless that resolution was passed in the hope that on other points the position of Catholics would be made equal to that of Protestants; but if their Lordships referred to the Parliamentary Committees of 1825 and 1826, they would find those prelates, besides other great lay authorities, such as O'Connell, the Right Hon. Anthony Blake, and others, were ready to accept a provision for the Roman Catholic clergy in conjunction with Catholic Emancipation. If there was to be an Established Church in Ireland, why should not that be a Roman Catholic Church, with a State provision for the clergy? What use was there in having an Established Church unless it were to enable the poor to worship God according to their religion, and to enable the people to fulfil their religious duties? Why were our fellow subjects in Ireland, who were supposed to stand upon the same footing as ourselves, not to have an Established Church of their own? The noble Lord said he had no objection to take a portion of the revenues of the Established Church and to apply it to the particular subject of education. But if the noble Lord applied a portion of the revenues of the Established Church to the purposes of education, which it was the duty of the State to support, why should he not equally apply it to any other State purpose, such, for instance, as the payment of the Marines? In applying the revenues of the Established Church to the support of national education, they would in reality be confiscating them for the general purposes of the State. On the other hand, many people believed that nothing would tend so much to reconcile the people of Ireland to the Established Church as granting a State provision to the Irish Roman Catholic clergy. The Irish said they were not upon an equality with the Protestants. The Established Church—which he did not believe would be regarded by the people of Ireland as a grievance were there a State provision for the Roman Catholic clergy—was regarded in the light of, at all events, a sentimental grievance. The Roman Catholic peasant saw the comparatively wealthy Protestant farmer going to a church where the clergyman was paid by the State, while his priest had no provision from the State; and the inference he drew was that the two Churches were not treated equally by Parliament. The noble Earl said that many persons thought that the revenue should be taken away from both Churches; but was that the feeling in Parliament? He had certainly hoped to hear from his noble Friend some explanation on other matters, if it were only to show that some attempt would be made to improve the condition of Ireland. He was not going at length into this subject. It was more fit for discussion in a Committee or a Cabinet than for an incidental debate in that House. The noble Viscount had referred to some subjects on which he (the Marquess of Clanricarde) did not at all agree with him, but he certainly did agree with him as to the amount of discontent that prevailed in Ireland. A very broad distinction must be drawn between dissatisfaction or discontent and disaffection or disloyalty. He believed there was very little disaffection or disloyalty in Ireland; with Fenianism the people in that country had no community of sentiment at all. He had met with very many who were discontented, but he had never met with one of any class who would acknowledge that he shared in the slightest degree in the opinions of the Fenians. Why should the people of Ireland be disaffected or disloyal? The people of Ireland could have no wish to be placed under any other rule than that of their present gracious Sovereign; and so far from having the slightest hostility to the reigning family, their complaint was that they did not see enough of them. They had never failed to receive any members of that family with the greatest enthusiasm and pleasure. Talk of an Irish Republic! The idea of a Republic was altogether contrary to the feelings and habits of the Roman Catholic Church and to the habits of the Irish people. The Irish people had no sympathy with anything of the sort. But, nevertheless, there was very great discontent at the way in which the Government had been conducted for many years. He entirely agreed with the noble Viscount as to the alienation of the Irish Government from the gentry of the country. He did not speak of the present Lord Lieutenant, for whose ability and good intentions he had the highest respect. But the noble Lord had not been long there, and he found a system established which it was impossible for him in a very short time to break through—a system which occasioned great discontent in Ireland. From the highest Peer in that House, down to the lowest peasant, the people felt they were not governed by the Ministry or the Lord Lieutenant, but by boards in Dublin and by the police, and that their feelings and wishes were not consulted in any manner whatever. This, he repeated, had given rise to a deep feeling of discontent; and why should it not? Why were the magistracy not consulted? He had the good fortune to live in a county and neighbourhood which was extremely quiet, and in any communications he had to make he had nothing to complain of; but from first to last in the measures which had lately been taken there did not appear to be any action of the Government with the magistracy, with the exception of the voluntary representation of the magistracy of the county of Cork, which was the first step taken to repress Fenianism. He thought that a very unwise state of things. They could not satisfactorily carry on the Government of a free people in that way. The noble Lord (Viscount Lifford) alluded to the subject of tenant-right. What was meant by tenant-right? Did it mean confiscation of the rights of property? or did it mean a greater facility for making contracts between landlord and tenant? If there existed any difficulties in the way of making such contracts let them be inquired into; but it was altogether absurd to propose giving a tenant a vested interest in the lands he held belonging to another; and, what was more, there were no people who understood this better than those members of the farming class who had acquired property themselves. Would they be so anxious to acquire property if they thought they were only purchasing a share of it from those who sold it? He entreated their Lordships to look well to the system of government to which he had alluded. Nothing had been originated in the way of improvement for Ireland since that excellent measure introduced by the Master of the Rolls—the Incumbered Estates Act; and when anything was proposed requiring the assistance of the Government, it was only by dint of agitation that they could get their appeals attended to. Great measures of improvement were looked for, and the people were discontented. It was all very well to say that it was their own fault that the people of Ireland were not advancing in the same ratio with the other parts of the Empire whose superiority was owing to the industry and active energy of the British people. But Ireland had not the same resources as England and Scotland possessed; and why should she not be assisted to develop such resources as she had? He might be told that it would be bad political economy; but he did not think it would be bad policy to do so. Let their Lordships consider the state into which the Irish railways had fallen. But why should the Government be asked to assist the Irish railways? The English people had made their railways; but not, perhaps, on the very best system that could be adopted. Did they think the Irish people did not look abroad and see what paternal Governments had done to assist a country to develop its resources? These things should be taken into consideration; but he must repeat this was not a question of disloyalty or disaffection, although the danger was that the discontent which was felt throughout all classes at the inattention which was paid to their affairs might turn to disloyalty and disaffection. There was another serious evil—the state of the judicial establishment in Ireland, and the clogs which existed to legal procedure in Dublin. He had himself obtained from the Government a Commission of Inquiry into this subject; and he thought he saw how, if the different Boards now existing in Dublin were properly looked into, the Chancellor of the Exchequer might save the interest of at least a million of money. It was because Ireland was neglected—because nothing was done to improve the country—because proposals when made with that view were received with a bad grace, and generally speaking put off without inquiring into complaints when made, that the people had become discontented, as he must repeat they now were.

EARL GREY said, it appeared to him that the speech of the noble Lord (Viscount Lifford) who introduced the subject under discussion deserved great attention from the House, though it was true that he did not concur in many of the noble Lord's views, and he certainly had not expected to hear from the noble Lord a direct proposal of the old measure known as appropriation. Such a proposition coming from such a quarter astonished him not a little. Although a strenuous advocate of such a measure thirty years ago in the other House of Parliament, he could not concur in thinking that it was one it would be advisable to adopt at the present moment. The time for such a compromise had gone by; and when the Appropriation Clause was abandoned in the House of Commons by the Administration of which he was a Member, he then distinctly stated that his ground for concurring in its abandonment was because he felt that the time when that measure might be useful had gone by. The compromise, if it had been accepted when first proposed, might have been useful; but it was resisted with success; and he now fairly declared that such a measure he would not at the present time support. But, though he differed from the noble Lord on this and some other points, there was one point on which he cordially concurred with him. The noble Lord referred to the present state of Ireland and to the fact that Parliament had been compelled to arm the Lord Lieutenant of Ireland with arbitrary power over the personal liberty of every man in Ireland. This state of things afforded a conclusive proof that there was something amiss in the condition of Ireland, and the wisdom of Parliament ought to be promptly applied in devising and passing measures for the correction of the causes which led to such evils. He quite admitted to the noble Earl at the head of the Government that the evils of Ireland were of too long standing for their Lordships to expect that any one measure would at once redress them; but what he feared was that those evils were not in the process of being remedied at all—that they were becoming not less but more deep, and that the necessity for a remedy was every day increasing. He was strongly convinced that no one or two measures could effect an immediate cure for the state of Ireland; that there existed evidence that the policy pursued with respect to that country required to be entirely revised and reconsidered; and that the question whether Ireland should be allowed to remain in her present condition, or, if not, then what measures should be adopted, ought to be brought before Parliament to enable it to give an opinion on the subject; and, as he learnt from the speech of the noble Earl that the Government had no considerable measure to propose beyond doing what, he agreed, they were bound to do—namely, suppressing violence by prompt and immediate action—he would himself venture to submit to their Lordships the question whether Ireland ought to be left in her present condition; and with that view he begged to give notice that he would, on the 8th of March, move their Lordships to go into a Committee of the whole House to consider the state of Ireland. If their Lordships agreed to that Committee, he would propose Resolutions for the purpose of enabling their Lordships to express an opinion as to the measures to be adopted.

LORD DUNSANY said, it was manifest that the Roman Catholic clergy exercised a considerable influence in Ireland, and he believed that upon them depended very much the maintenance of peace in that country. He was happy to be able to add that their influence had, in the case of Fenianism, been exercised in favour of law and order. But he could not at the same time help remembering the conduct of the Roman Catholic priests more than twenty years ago at the time of the O'Connell agitation. That agitation was decidedly forwarded by the priests, and though the agitation came to an end, the disloyalty still remained. During the next agitation—that of 1848—the influence of the priests was exercised on the right side, for the policy of the priests had always been to keep the pot boiling. After the attempted rebellion in 1848 a new agitation sprang up in Ireland. This time the agitation was of a very peculiar kind, for it was not caused by any question of domestic policy. It continued during the years of prosperity in Ireland. Between the years 1850 and 1860 a remarkable expression was used by the Roman Catholic agitators. They used to say among themselves, "We hate England with a holy hatred." Now, the cause of that "holy hatred" was altogether irrespective of the affairs of Ireland or England, the people in Ireland being incited against the English Government upon purely Italian grounds. He would not dwell upon the O'Connell demonstration, but would pass on to the only agitation which, prior to Fenianism, had very recently engaged public attention. He alluded to the National Association of Ireland, one of the professed objects of which was the obtaining of tenant-right. Now, all who read the Irish newspapers must be perfectly aware that that association was helped forward and mainly supported by the priests. After the remarks which he had made it might, perhaps, be thought that he was animated by hostile feelings to the priesthood. He begged, however, to assure their Lordships that such was not the case, for he had endeavoured to ascertain, as far as possible, how he should have acted if he had been placed in their position. Now, undoubtedly the position of the priests was a very trying one. Probably no class of men entertained a higher opinion than they did of the claims they had upon the community at large and the Government, and they were consequently dissatisfied when they saw those claims unrecognized and recollected that they were dependent for their bread on the poorest of the parishioners. The discontent of the priests necessarily influenced their teaching, and as long as the priests were dissatisfied their flocks would be dissatisfied also. Then came the question as to the possibility of uniting their interests with those of the State. When payment of the priests was proposed by Pitt there was a certain degree of unwillingness on the part of the priests to receive any stipend. In reference to this subject, he might mention that he had been informed by a gentleman who was employed at that time in negotiating the matter with the Roman Catholic prelates—he meant the Knight of Kerry—that the Primate, or at all events some member of the Irish Episcopate, expressed himself in favour of a State payment to the clergy. The Prelate said, "Only let the Government put down the stipends on the floor of the Treasury, and it is not much moss that will grow on it." At all event, the State would lose nothing by the accumulation of the funds, while a great temptation would be offered to the clergy. For his own part, he believed that the clergy would accept a stipend, especially as it was extremely probable that the population of Ireland would continue to diminish. Even if the priests refused the stipend the result, he believed, would still be satisfactory, for England, at all events, would have done all she could do. There were other benefits which might accrue from paying the priests. For instance, Ireland would gain by further emigration, which at the present time the priests discouraged as much as possible, because every man who left the country took so many shillings out of their pockets. Then, again, it would be unnecessary for the people to conceal all appearance of wealth as they did at present, lest their clergy should seek higher dues; but with the payment of the clergy by the State, the people would no longer have a motive to feign poverty. With regard to anything else connected with the state of Ireland, he must confess himself very sceptical as to the power of the Government to remedy the disease of that country.

Motion (by Leave of the House) *withdrawn.*

STREET ACCIDENTS (METROPOLIS.)

MOTION FOR RETURNS.

The Marquess of WESTMEATH rose to call the attention of the House to the necessity for the Home Office taking some effectual steps to lessen the danger to which foot passengers are exposed in the streets of the metropolis. Between 1858 and 1860 no less than thirty persons were killed and 370 maimed in the City, and 104 killed and 1,457 maimed in the metropolitan police district. From January, 1862, to May, 1863, there were six killed and 193 injured in the City, and 132 killed and 1,304 injured in the metropolitan district. The heavy traffic was driven through our streets at, in very many cases, much too rapid a rate of speed; and at coroners' inquests verdicts of "accidental death" were returned in many cases in which the verdict ought rather to be "murder caused by indifference." It was the duty of the Home Office to look to this matter, which ought not to be left to an individual Peer. The noble Marquess concluded by moving an address for—

"Return of all Cases which have come to the Cognizance of the Metropolitan Police, whereby, since the 1st of January, 1865 up to the present Time, any Person has been run over and killed by any Carriage within the District and the Superintendence of the said Force; and a like Return as to every Person maimed or otherwise injured by the same Sources; also a Statement whether the Horses drawing any Carriage at the Time of each Accident were being driven or led."—(*The Marquess of Westmeath.*)

Motion *agreed to.*

Also—

"Return of all Cases which have come to the Cognizance of the City Police since the 1st of January 1865, up to the present Time, whereby any Person has been run over and killed by any Carriage within the District and the Superintendence of the said Force; and a like Return as to any Person maimed or injured by the same or similar Means; also a Statement whether the Horses drawing any Carriage at the Time of each Accident were being driven or led:

"Return of Summonses taken out by the Police for furious driving where no Death has happened."—(*The Marquess of Westmeath.*)

Ordered to be laid before the House.

House adjourned at half past Seven
o'clock, till to-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, February 26, 1866.

MINUTES.]—New Writ Issued —*For* Richmond, *v.* Hon. John Charles Dundas, deceased.
New Member Sworn—*For* London, Right hon. George Joachim Goschen.
Supply—*considered in Committee*—Civil Service Estimates.
Resolutions [Feb. 23] *reported.*
Public Bills—*Ordered*—Petit Juries (Ireland).*
First Reading—Petit Juries (Ireland)* [41].
Second Reading — Cattle Diseases (Ireland) [37].
Committee—National Debt Reduction (*re-comm.*)* [4]; Savings Banks and Post Office Savings Banks (*re-comm.*)* [5]; Pensions* [8]; Jamaica Government [17].
Report—National Debt Reduction (*re-comm.*)* [4]; Savings Banks and Post Office Savings Banks (*re-comm.*)* [5]; Pensions* [8]; Jamaica Government [17].
Considered as amended—National Debt Reduction (*re-comm.*)* [4]: Savings Banks and Post Office Savings Banks (*re-comm.*)* [5].*

THAMES EMBANKMENT (NORTH APPROACHES) BILL—(*by Order.*)

(*Mr. Tite, Mr. Taverner J. Miller, Mr. Doulton.*)

Order for Second Reading read.

Mr. TITE said, he had put a notice upon the paper of his intention to move that the second reading of the Bill should be postponed to the 16th of March, and he proposed that postponement with a view to seeing whether it was possible, within the limits of deviation, to change the approaches to the Embankment from Charing Cross so as to avoid Northumberland House. That postponement was opposed at the instance of the Duke of Northumberland; and the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) had given notice of an Amendment, the object of which was to throw the Bill out. The Bill for embanking the Thames was brought in in 1862, not by the Metropolitan Board, but by the Government, as the result of a Commission which sat two or three years before. At first it was suggested that the Bill should be carried out by a Commission; but, as the Metropolitan Board of Works were necessarily largely interested by reason of the project for carrying the main sewer along the Embankment, it was resolved in the House itself that the whole matter should be placed in the hands of the Board. The plans were much discussed and varied in that House, and the Board of Works were authorized to carry them out, but the Board itself was not represented on the Commission, nor even referred to. However the Bill passed, and recently the approaches to the Embankment came under the consideration of the Board, and it was found that there was nothing practical about those that were proposed. An Act of Parliament was passed last Session, also authorizing the Metropolitan Underground Railway to go along this part of the Embankment; and the railway engineers were quite unable to do anything until the side approaches and the levels connected therewith were settled. The Metropolitan Board had undertaken to make the communications from Charing Cross; there were eight or nine streets involved, and therefore they were extremely anxious that the Bill should pass this Session, because, if it did not, the approaches could not be settled, and another Session must arrive ere the great works of the Metropolitan Railway could be undertaken. For these reasons, they were anxious that so much of the Bill should pass at once as did not interfere injuriously with the rights of the Duke of Northumberland; for, if the levels could not be settled, two years would be lost before the works of the Underground Railway could be commenced. This was not a private speculation; it was a matter in which the whole metropolis was interested. The Board had a great work to do, and there were great responsibilities connected with it. One thing wanted was a short approach to the Embankment from Charing Cross. In proposing to take Northumberland House, which stood on the shortest line (it not being more than 400 yards from the extreme point of Northumberland House to the Embankment) the Board intended no discourtesy to the Duke of Northumberland. Indeed, it had been rumoured that the Duke or his family had no desire to preserve the house. So much was that the case, as they understood, that there had been even a proposition to place the terminus of the railway at Northumberland House instead of in the position at present fixed, and he had himself been, two or three years back, invited to join a company to buy the house and build offices on the site. Of course he knew now that the popular impression was a mistake. The late Duke died a year ago, and another nobleman having succeeded to the dukedom, the matter had assumed another shape, and it was now said that the attempt to take Northumberland House was a breach of contract. The Board had consulted the First Commissioner of Works, who was Chairman of then Committees of 1862, who did not understand that the contract involved the obligations alleged. Of course, if there was any honourable understanding they the Board were bound to adopt it, though they had nothing to do with making it. If it was agreed, as was suggested, that the house should not be touched — if there was a strong feeling in favour of its preservation on architectural or archæological grounds, the Board were quite prepared to agree to a clause which had been submitted to the agents of the Duke, that no part of the House or gardens should be touched without the consent of the Duke first given in writing, or they would further strike out of the Bill everything relating to Northumberland House, and they would endeavour to lay down another street to avoid it. He therefore proposed, with that object, that the second reading of the Bill should be postponed to the 16th of March, to allow time for the necessary consideration of the subject. They had no intention of touching the Savoy Chapel, which had been recently restored. The Embankment was a work of great public utility; looking to the crowded state of the streets it was important that it should be carried out in its integrity; and if the Bill were thrown out a great public injustice would be committed.

Motion made, and Question proposed, "That the Bill be read a second time upon Friday the 16th day of March next."—(*Mr. Tite.*)

MR. BERESFORD HOPE said, he was

glad his hon. Friend (Mr. Tite) appreciated the architectural and archæological interest of Northumberland House, and that he now proposed to strike out of the Bill everything that made it different from the Bill of 1862—a Bill which had provided the needful approach to the Embankment. It was, in fact, as it came before them, only the Bill of 1862, *plus* this great act of Fenianism. How did it happen, if it was so well known the Duke intended to sell, and that the lion of the Percies was to wag its tail over a railway station, that the first intimation the Duke had of the existence of such a knowledge should have been the appearance one day in October at his door of a clerk from the Metropolitan Board of Works, with a pen behind his ear, for the purpose of making some preliminary surveys? Whence, too, arose this wonderful eagerness to demolish Northumberland House? There were people who might say that the cause was to be sought in the fact that at Northumberland House were to be found four acres and a half of freehold with no leasehold interests to be bought up. In fact, this reason was openly avowed in Messrs. Vulliamy and Bazalgette's report to the Board of Works, in which stress was also laid in the view of the river which would be obtained from the Opera Colonnade, as if anything would be thereby made visible except a squint glimpse of the hideous Charing Cross Bridge. The insertion, as at first proposed, of a clause to the effect that Northumberland House should not be touched without the consent of the Duke would be to throw upon his Grace the odium of saying "No;" and, if he did so, to expose him to the comments of the press as an obstructor of public improvements. If that were all that was yielded, the third reading of the Bill would be opposed. Northumberland House must be struck out of this Bill at once peremptorily, and for ever, or a little more would be heard of it. Another aspect of the question was suggested by what had transpired. Northumberland House and the Savoy Chapel were to stand. This was to knock to pieces both ends of the Bill. What was to be done with the middle? On that most magnificent foreshore, recovered from the Thames, one of the finest sites ever opened up in the metropolis, an architect employed by the Metropolitan Board of Works was to erect a hideous crescent—a row of houses without one square room—and thereby to ruin the whole effect of the natural course which the stream took at that point, not to talk of the destruction of the Adelphi Terrace. This re-building, also, was not to be a matter for fair discussion; it was not to be open to competition among able architects; it was not a project in which the people were to have something to say; but it was to be done arbitrarily by the Board of Works, employing their own officials about a matter which was the common interest of the whole capital. For his own part, if the House was satisfied with the course proposed, without equivocation and without shuffling, he would accept it. But if the general feeling was that the Bill in all its features was so open to objection, and was so entirely riddled to pieces as to deserve to be rejected, if the House would not on any terms have this terrace thrust upon them, he would not refuse to go into the lobby for a division. He begged leave to move that this Bill be read a second time this day six months.

Amendment proposed, to leave out the words "Friday the 16th day of March next," in order to add the words "this day six months,—(*Mr. Beresford Hope,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. LOCKE said, he did not understand the speech of the hon. Gentleman the Member for Stoke, or what it was he wanted more than he had already got. The hon. Gentleman the Member for Bath, who moved the second reading of the Bill, having abandoned every principle and object which the Metropolitan Board of Works had in view, the course pursued by the hon. Gentleman the Member for Stoke was most ungenerous. He thought the hon. Gentleman ought to be perfectly well satisfied. As he understood it, the Metropolitan Board of Works had proposed the construction of a handsome street from Trafalgar Square to the Embankment. There was one house, that of the Duke of Northumberland, in the way of accomplishing that object, and therefore the Board must abandon their scheme. Very little notice was taken when the Metropolitan Board of Works, or any of the great railway companies, proposed to tear down the houses of thousands of the labouring classes and throw the inhabitants on the wide world. But the sympathy of the hon. Member for Stoke and other hon. Members was roused when it was proposed to interfere with the

1862 by which it was covenanted that no person should ever make a street through the place where Northumberland House now stood. No person said that the Act contained such a clause. But the very foundation of the 53rd clause was protection to Northumberland House. A certain body made an agreement in 1862, and in 1866 the same body sought to do the very same thing which they had agreed not to do. His own opinion was that the Board of Works wished to get the land about Northumberland House to make a building speculation.

Mr. T. MILLER said, he could not blame the course that had been pursued in this matter by the Metropolitan Board of Works and the hon. Gentleman the Member for Bath. The Metropolitan Board of Works had nothing whatever to do with the arrangement with the Duke of Northumberland, which it was now said was sought to be broken. It was more important that they should keep their pledge than that the public should get a new street. If it had been the feeling of the noble Duke to allow this to be made it would have been one of the finest in Europe. But they felt bound in honour to respect every arrangement entered into, whether with a rich or a poor man, and when this proposal was introduced into the Bill it was under the impression that it met with the Duke's approval.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Ordered, That the Bill be read a second time upon Friday the 16th day of March next.

CATTLE PLAGUE.—QUESTIONS.

Viscount HAMILTON asked the Secretary of State for the Home Department, Whether the Government have received any authentic additional information on the subject of the late attempt stated to have been made to land sheep surreptitiously on the north coast of Ireland by boats from a ship bound from a Scotch to an English port?

Sir GEORGE GREY: A report reached the Irish Government that an attempt had been made to land sheep on the north coast of Ireland, but no specific information of time or place was given. It is supposed that some sheep were landed upon an unfrequented part of the coast from a ship bound from Scotland to England. Instructions, however, have been given to prevent any such violation of the Orders in Council.

Mr. DYCE NICOL asked the Vice President of the Committee of Council on Education, whether any steps had been taken to obtain, through the local authorities in districts infected with the cattle disease, accurate weekly information as to the number of cattle "attacked, killed, died, and recovered;" and also as to the success of preventive and curative treatment in those districts, and whether there was any change in the character of the disease since its first appearance? He wished also to ask, whether the Government had received any information as to a new mode of cure introduced by Mr. Alexander and followed up by Mr. Low, under which the percentage of recoveries had been 90 per cent?

Mr. H. A. BRUCE said, that a Veterinary Department had been created in the month of August to deal with the emergency of the cattle plague, and it had since been in constant communication with 800 inspectors, who had sent in reports of various degrees of accuracy. The Secretary of the Department had been directed to prepare a special report for the information of the Royal Commissioners, and he believed it was nearly ready. It would contain a Return from August to the 31st of December last of the animals which had been attacked, which had died or been killed, which had recovered, and the cases which still remained. The Returns of the Secretary would also be verified up to the 31st December. It would also contain maps illustrating the monthly progress of the disease in every petty sessional division, and tabulated reports on the various methods of treatment pursued between August and December. No positive evidence had been received that the disease had changed its character; but there had been a gradual increase in the percentage of cures, from 5 to about 13½ per cent in the last week. He had received no specific information as to the treatment of cattle in Kincardineshire, but he would undertake that the weekly Returns should be as full as was consistent with the due discharge of the duties of a Department which had to deal with such an enormous mass of cases.

RATING OF ELECTRIC TELEGRAPHS. QUESTION.

Mr. SURTEES asked the President of

the Poor Law Board to state on what principle he considered Electric Telegraph Companies ought to be assessed for the purpose of the Poor Rate?

Mr. C. P. VILLIERS said, that this was a matter that had been settled for some years past by courts of law. The principle laid down was that everything above the surface and below the surface was to be considered as "land." Upon this principle the pipes used by water companies under the surface are rateable, and the wires which conduct the electric fluid, whether through the air or under water or in the soil, constitute an occupation of the land, and as such form a subject to be rated. With regard to the means of estimating the precise value of the wires, that is left to the judgment of the assessment committees of unions through which they pass, subject to the provisions of the Assessment Act.

THE MERCHANT NAVY.

QUESTION.

Mr. HANBURY TRACY rose to ask the President of the Board of Trade, Whether the attention of the Government has been called to the great decrease in the number of Apprentices and Boys borne by our merchant ships, and the increased employment of Foreign Seamen; whether their attention has been called to the great prevalence of scurvy in the Merchant Navy; and whether, under these circumstances, any measures will be taken to extend to the crews of Merchant Ships the benefits derived from that system of inspection of provisions and accommodation now in force in respect to emigrants, convicts, and other passengers?

Mr. MILNER GIBSON: The attention of the Government has not been called to any great decrease in the number of apprentices borne by our merchant ships. The number of apprentices annually enrolled has varied but little during the last six years, being between 5,000 and 6,000 a year. There is an increase in the number of foreign seamen employed, but whether the proportion of foreign seamen to the whole number of men serving in the mercantile marine is greater than during the last few years I cannot say without a careful examination of the Returns. Representations have been made with regard to the existence of scurvy among the crews of some merchant vessels. In one instance, where there has evidently been great neglect in not having provided proper antiscorbutics in accordance with the law, a prosecution has been directed. It is not contemplated to apply the same system of inspection of provisions and accommodation in merchant ships generally as is adopted in the case of ships carrying emigrants, convicts, and other passengers.

REFORM BILL STATISTICS.

QUESTION.

Mr. E. P. BOUVERIE: I wish to ask the right hon. Gentleman the Secretary of State for the Home Department, Whether the statistics with reference to the existing constituencies are complete, and when they will be laid upon the table?

Sir GEORGE GREY: They are not yet quite complete, but I hope they will be ready at a very early period. No time will be lost in laying them on the table.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE PUBLIC EXPENDITURE.

RESOLUTIONS.

Mr. WHITE, in rising to move the Resolutions of which he had given notice, said, he did so in accordance with an intimation he had made in the last Parliament. In one of those fascinating surveys of our financial prospects in which he annually indulged, the Chancellor of the Exchequer, on the 27th of April last, took occasion to remark on the approaching general election and the contingent responsibilities of the new Parliament, and in the course of some humble criticisms of his own upon the right hon. Gentleman's observations, he had then ventured to hope that when the new Parliament was returned that House would feel itself bound to insist, as strongly as possible, upon the adoption of a judicious system of retrenchment in every branch of the public service consistently with its efficiency, and would refuse its confidence to any Government that required as the normal expenditure of the country a larger sum than £60,000,000 annually. It was the duty of Members of that House jealously and vigilantly to watch over the public expenditure, and to check those pernicious and powerful influences which were brought to bear upon the Finance Minister, leading to the grievous growth of the Estimates of late years. It was, moreover, a moment particularly opportune for dealing with that question when a re-constructed Ministry met a new Parliament, and it was to be expected that the new Members of the House would add to the usefulness of its councils. The echo of those plaudits which greeted the chosen of the people when declaring their determination to insist on the most rigid economy had hardly yet died away; and it now remained for those Gentlemen by their votes and speeches in that House to justify the expectations which their language had created in the minds of confiding constituencies. The Chancellor of the Exchequer had himself laid it down that, in addition to their annual reviews of the income and expenditure, it was well when special junctures arrived with circumstances of a marked character for Parliament to be, so to speak, obliged to initiate a deeper and more comprehensive examination, and consider more at large what should be the proper scale of the taxation and likewise of the expenditure of this great country. The present time was one of those special junctures to which the right hon. Gentleman had referred. With the exception of poor Ireland, the public mind was in a tranquil and re-assured state; owing to the noble army of Volunteers—thanks to the noble Lord the Member for Haddingtonshire (Lord Elcho) and his gallant coadjutors—those absurd terrors and popular delusions about a French invasion, which used to be sedulously encouraged in some quarters, had been thoroughly stamped out. The losses caused by the prevalence of the cattle plague also combined with other circumstances to call for a reduction of the public expenditure within more sober and reasonable limits. It would not be fair in a general way to criticize the speeches made by candidates to their constituents, because experience showed that matters political could never be seen in their true light except through a Parliamentary medium. But it might be permissible to quote the language used by the Chancellor of the Exchequer—no novice, certainly, in political life—in addressing the electors of South Lancashire. The averment of his first Resolution—namely, that the national expenditure had been excessive, might be proved from the declaration of the right hon. Gentleman, who was then, as now, responsible for the public finances. Speaking at Liverpool on the 18th of July last, the Chancellor of the Exchequer said—

> "Let us see how matters stand; and before I enter into it I will just say that I am not satisfied, as far as I am individually concerned."

That was exactly his own feeling—he was not satisfied—

> "I am not satisfied, as far as I am individually concerned, that the expenditure of the country has yet been reduced to the lowest point consistent with honour and security."

After adducing such evidence as this it was needless to say one word more. He would, nevertheless, quote a portion of the right hon. Gentleman's speech containing a hint to the constituencies of the country, which ran thus—

> "Therefore, I will say this, and say it without the smallest doubt, that if the electoral body of this country desire that reduction shall be effected in that expenditure, they have only to send to Parliament men who sympathize with that view, and the result they wish will infallibly be attained."

Now, although he had but a small amount of confidence in the present, yet he thought it a great improvement on the last Government. Since he had seen the Estimates for the present year, however, it had greatly fallen in his esteem. The sum demanded for the army, the navy, and the civil service was almost the same as that required last year, notwithstanding what had been stated as to "old things passing away and all things becoming new." Unless there was an improvement in these matters, the present Ministry ought to give way and allow other men, capable of conducting the government of the country in a better manner and at a smaller cost, to take their places. Whenever he heard the high-sounding phrases about retrenchment and national prudence, in which the Chancellor of the Exchequer was so ready to indulge, he was inclined to remind him of the lines of Pope—

> "A very heathen in the carnal part,
> Yet still a sad good Christian at her heart."

There was not a Member of the House who had more denounced prodigality than the right hon. Gentleman. In 1860 the Chancellor of the Exchequer became quite enthusiastic in his denunciations of extravagance, and hon. Members would recollect a memorable sentence, in which he employed the words "vacillation," "uncertainty," "costliness," "extravagance," "meanness," and all the conflicting vices that could be enumerated, as united in the same system of mal-administration. In his climax he told the House that nothing short of a "revolutionary reform would ever be sufficient to rectify it." These were the avowals of the right hon. Gentleman in 1860, and yet the discreditable condition of affairs of that period still existed. [The CHANCELLOR of the EXCHEQUER: I then alluded to public works.] He had understood the language of the right hon. Gentleman to have a general application. Had any person partially informed on public matters listened to the address of the Chancellor of the Exchequer in 1860, he could never have believed that such a torrent of invective had come from a man who, by the tenure of his office, was upholding that very system which he so scathingly denounced. In the same spirit of tantalizing and perplexing candour, the right hon. Gentleman dwelt upon the pernicious habits prevalent in the last Parliament; but it would be better to quote his own words. Speaking of the expiring Parliament, he said—

> "It has raised a larger revenue than I believe ever at any period of peace, or even of war, after taking into account the changes in the value of money, was raised by taxation within an equal space of time; and the expenditure has been upon a scale that has never before been reached in time of peace."

That was a voluntary declaration of the right hon. Gentleman. He must confess that the Minister of Finance had simply to bring in Estimates, get them through the House, and then, towards the end of the Session, give one of his economical homilies, and, forsooth, it went abroad that he was the advocate of the greatest economy, and the enemy of all prodigality. There should be an end of such a state of things; if the people must pay the money, let them pay it, but let them be spared such homilies as those of the Chancellor of the Exchequer. He had been going over the right hon. Gentleman's speeches, a batch of which he held in his hand; and he believed he could very easily compile from them a "Financial Reformer's Manual" or "Economical Guide." Those speeches were full of sublime aphorisms, denunciations of prodigality, and warm-hearted yearnings for social progress, which would be all very well if he could forget those stupendous, startling numerals which formed the bitterest commentary on the teachings of the right hon. Gentleman's text. During the last six years of his incumbency he had drawn from the earnings of the people and from the profits of capital £422,173,783—the unprecedented average annual sum of £70,360,000—in fact, a war expenditure in the time of peace—an expenditure, indeed, much larger than that required during the Crimean War. Now, what, he would ask, was the relative value of £70,360,000 per annum in our social system? It would give 29*s.* a week — that was to say, double the amount of the alleged sum on which the Dorsetshire labourer of Lord Shaftesbury luxuriated — for one year to every male agricultural labourer in England and Wales. Seventy millions per annum, in short, meant a sum large enough to supply the yearly cost of the sustenance, clothing, housing, and education, such as it was, of one quarter of the whole population of these realms; or, put in another shape, it was three times more than the whole profits and emoluments derived at the present moment from our cotton trade—the vastest industry in the world, and all its subsidiary branches. He trusted he might add that the Government would make the statistics which they were engaged in collecting on the subject of Reform as exhaustive as possible, and inform the country what proportion of those £70,000,000 of annual taxation was borne by the unrepresented classes, for if he was not misinformed fully one-half of the entire amount was placed upon their shoulders by our present inequitable fiscal system. He wished, in the next place, to point out the prodigious increase which the national expenditure had undergone of late years. He found that during the five years from 1842 to 1846, inclusive, the annual expenditure was £52,250,000; during the five years from 1847 to1851, £51,750,000; the five years 1852 to 1856, which embraced the period of the Crimean War, £66,700,000; while for the last eight years our average expenditure amounted to £69,200,000 per annum. In short, during the last few years, the present Chancellor of the Exchequer being in office, we had been spending £1,000,000 a month more than our ordinary or average expenditure prior to the war with Russia. For the five years before that war the average annual charge for the army was £9,350,000; while for the last five years it amounted to £16,100,000; the average charge for the navy having been for the last five years £11,800,000 as contrasted with the sum of £6,520,000 previous to the war. Nor was that all, for the Civil Service Estimates, with a sort of ambitious rivalry, had increased within the last twenty-five years from £2,000,000 to £8,000,000.

He knew while making these statements that he would be reminded of the annual remission of taxation; but the truth was that there was no such remission, but only a shifting of the burden, for the Chancellor of the Exchequer still contrived to get his £70,000,000 out of the pockets of the people. He did not wish to make use of harsh language, but the financial policy which had been pursued was neither more nor less than the stale device of a second-rate tradesman, who charged 20 per cent more than he ought, and magnanimously allowed a discount of 5 per cent. The right hon. Gentleman was merely giving back to the people a small portion of their own money, under the pretence of remissions. This was the way in which John Bull was treated, and then the people were expected to throw up their hats and be everlastingly grateful to the Minister for such illusive proceedings. It was once understood that when taxes were reduced so much more money was left in the pockets of the people; but the policy of the present school of finance was so dexterously to adjust the burden as only to render it less irksome than before. In making those observations he did not mean to say anything hostile to the hon. Gentleman, for he took a greater interest in him than in any other Member whom he saw seated on the Treasury Bench; but he nevertheless thought it was not difficult to show that the industry of the country relatively contributed much more than it did a quarter of a century ago to the general revenue. The ten articles — tea, sugar, coffee, currants, raisins, timber, wine, spirits, tobacco, and corn — which yielded in 1840 to the revenue £20,240,000, contributed in 1864 £22,291,000. But then great amazement was expressed if when the duty was reduced on some article of domestic consumption the Treasury gained as large an amount as from a higher rate, while the fact seemed to be ignored that our former ignorant and obstructive legislation had most cruelly abridged the domestic comforts of the people. The prodigality of grants to the Crown made by the last Parliament had been justly condemned by the Finance Minister, to whom, however, greater blame attached for introducing excessive Estimates, supporting them by his eloquence, and seeking to relieve himself from responsibility by throwing it on Parliament. Speaking at Manchester in July last, the Chancellor of the Exchequer said—

> "We are passing into the dangerous state of things in which the House of Commons, instead of being the jealous, vigilant, effectual controller of those proposals for expenditure which it is the duty of the executive Government to make, tends itself to become the promoter and the stimulator of public expenditure, forcing it upon the executive Government in every form of Question, of Motion, of suggestion . . . and ever actively tending to make invasions upon the public purse. . . . Most earnestly do I hope that in the new Parliament we shall witness a different state of things, and that the representatives of the people will, especially among the Opposition, resume their legitimate office of limiting and confining, not of promoting and enlarging public expenditure."

He (Mr. White) hoped the Opposition would not need the stimulus referred to; and, if they wished to obtain the repeal of the malt duty, they had better co-operate with the Liberal Members below the gangway. But he would ask what influence had the new Parliament exercised on the Estimates now submitted to the House? They exhibited no real reduction, and yet Parliament had not stimulated the Chancellor of the Exchequer to bring them up to their present magnitude. Under these circumstances, he did not see how Parliament incurred all the responsibility and the Chancellor of the Exchequer none. He should like to have the right hon. Gentleman's new reading of our Constitution. He always thought that the initiative with regard to expenditure belonged to the Executive; but these enunciations of the Chancellor of the Exchequer placed them in a dilemma. Surely he would not wish to revert to the time of the Stuarts, when Parliament refused supplies to the Crown? Since that time whatever had been required for the service of the Crown had been granted by the Commons when asked for; and the unimportant and inconsiderable exceptions to this rule proved its uniformity, and therefore he felt bound to protest against this railing at Parliament on the part of the Chancellor of the Exchequer. If it were admitted that our expenditure was excessive, the practical question was — to what extent and by what means could it be reduced? In 1860 he moved the reduction of the strength of the army by a number that would have saved a million, and he took into the lobby with him a small minority; but he had never been reproached by any one who voted with him, and on the hustings they found that his Motions and Divisions told in their favour. Although the Motion was rejected with scorn, next year the Government proposed a reduction more than equivalent to that which his proposition involved. In 1862 he urged strongly the necessity of a reduction in our public expenditure, and said that we ought then to be approaching to the limit of £60,000,000, which he then and now deemed quite adequate to maintain our normal establishments in full efficiency. He was confirmed in that opinion by his late friend Mr. Cobden (whose death was felt as a personal bereavement by the earnest Liberals of both hemispheres), and who in his last public address at Rochdale on the 24th of October, 1864, said—

> "Lord Stanley, the other day, declared he could see his way to an annual expenditure of £60,000,000 per annum, and I suppose that when Mr. Gladstone sees distinguished Members making such a statement he will hasten on to that amount for fear he should be taken up by the other side."

Next came the question, what chance had they of enforcing their opinions of economy on their prodigal Chancellor of the Exchequer? He almost despaired of accomplishing that object unless the House would consent to adopt a Finance Committee, which should be appointed every Session, and fairly chosen from hon. Members on both sides, and to which the Estimates should be referred for preliminary examination. They were all aware that there was no great undertaking, no public establishment, no municipality, which had not its Finance Committee, to whom questions similar to the Estimates of that House were referred, and by whom they were reported upon. The same process was adopted in analogous cases by Parliament itself; but, oddly enough, not in the most important of all; for with regard to the national finances there was no previous inquiry of that kind. The machinery which at present existed might have done very well in the time of the Stuarts, when hon. Members used to come down in the middle of the day and discuss the Estimates, or in the days of William III., when the revenue of England did not amount to £5,000,000; but it was not sufficient for the complicated questions which were now involved in them. In 1862 he took the opportunity of going through the Estimates, and he found, as he mentioned in the subsequent discussion, that they contained 17,833 items, and that they were explained or referred to in 804 folio pages. The House could well understand how hon. Members would shrink aghast and appalled from the contemplation of such a mass of figures as was submitted to them by the present plan. He recollected that his hon. Friend the Member for Halifax (Mr. Stansfeld), whose mastery of details and command of figures were justly admired for the short time that he was connected with the Admiralty, declared that

> "He regarded the process by which the Estimates were said to be discussed in Committee of Supply with a feeling akin to hopelessness and despair."

He was quite aware of the stale objection that a Committee of Finance would act as a sort of buffer between the House of Commons and the Executive, whose responsibility would thereby be diminished. But the experience of foreign representative assemblies did not bear out that argument, and even if it did the Chancellor of the Exchequer said that the whole responsibility was with Parliament; and, therefore, they could not be worse off than they were now. Another part of the question was this. What they must do under present circumstances when the Estimates were placed before them. He was disposed to take the advice of the Chancellor of the Exchequer, given when he was not in office, and that would be an illustration of the benefit which would accrue from referring matters to a Committee. In 1857 the right hon. Gentleman said—

> "In 1848 the Army and Navy Estimates were £17,600,000." [They were now £25,000,000.] "But they had then reached a point beyond the patient endurance of Parliament; and the House gave such undoubted indication of its determination not to entertain those Estimates that the Government withdrew them, re-considered them, and referred them in a revised shape to a Committee, the result of all which operations was that they were reduced by an extent not far short of £3,000,000."—[3 *Hansard*, cxliv. 2158.]

Well, let the House adopt a practice thus recommended. He should wish some hon. Member to move that the Army, Navy, and Civil Service Estimates be referred to a Committee, and then they would see whether they could not be reproduced in a greatly diminished shape. The Resolution which the right hon. Gentleman moved on the 10th of March, 1857, was as follows:—

> "That, in order to secure to the country that relief which it justly expects, it is necessary, in the judgment of this House, to revise and further reduce the Expenditure of the State."

Now, there was a Resolution ready cut and dry which he begged to hand over to some new Member who might immortalize himself, and who should have his hearty support. His own experience in Committees of Supply fully bore out the opinion expressed by the hon. Member for Halifax (Mr. Stansfeld); but if they had got that permanent Finance Committee which he had ventured to recommend, was it to be supposed that we could have had such an enormous growth of expenditure as we had had of late years, or that such gigantic Government manufacturing establishments could have sprung up and been continued in defiance of every sound principle of political economy and State thrift, as laid down by Mr. Burke, Sir H. Parnell, the late Marquess of Lansdowne, and, though last not least, Mr. Cobden? If the House had had such a Committee, the admirable recommendations of the Royal Commission on Dockyards, and of Mr. Mills' Committee upon Military and Naval Expenditure in the Colonies, and others of the same kind, could not have been now ignored. But what practical effect had they now on the public expenditure? It was utterly futile to attempt to fight the battle of economy in Committee of Supply. That was the opinion of the late Mr. Cobden, of the hon. Member for Birmingham (Mr. Bright), of the hon. Member for Halifax (Mr. Stansfeld), and his own, and the reason was this—that a large proportion of hon. Members on both sides were of opinion that the Executive were alone competent to judge what the necessities of the public service required. Another reason was this—when an hon. Member succeeded in convincing the Committee of the expediency of reducing the Estimates — and he had often seen that done — the division bell rang, and an influx of what in the last generation was called placemen, or expectants of place, but what were now called Government Members, took place, and swamped the deliberate judgment of the Committee. Important questions were thus decided by the votes of Members who had not heard one word of the discussion. So strongly was the evil of this system felt, that in 1861 the hon. Member for Dundalk (Sir George Bowyer) moved that in any division in Committee of Supply, as soon as the voices were called, the doors should be closed. He (Mr. White) had the honour of seconding that Resolution, which the House did not think fit to adopt. He would now state a few facts to show how useless it was to oppose any items in Committee of Supply. During the last ten years the entire sum voted by the Committee of Supply was £358,392,422. The items rejected by the Committee of Supply during the same years were as follows:—In 1857 there was a demand for a sum of £10,500 to build a church for the British residents and visitors in Paris. This item was very properly rejected in Committee of Supply. In 1858 some hon. Members who took an interest in the Fine Arts objected to the amount of the salary of the travelling agent of the National Gallery, and succeeded in obtaining its reduction from £400 to £100. Probably emboldened by this success, the Committee made another effort to cut down the expenses—they rejected an item of £1,000, the salary of the Registrar of Sasines. Now, many gentlemen did not up to that period know who the Registrar of Sasines was, but on making inquiries they found that he was an officer whose principal duty consisted in drawing a salary of £1,500 a year. On the death of the holder of the office, the Government, it appeared, at first intended to abolish it, but they afterwards changed their minds, and having reduced the salary to £1,000 a year, they conferred the office on some Whig dependent in Edinburgh. When the Committee refused to sanction the sum of £1,000, the Government took the unusual course of having the Resolution re-committed, and the result was that the original decision of the Committee was rescinded and the grant passed. In 1859, 1860, and 1861 no item was rejected in Committee of Supply. In 1862, £5,000 for Highland roads and bridges was rejected, and the Government did not bring it on again, probably because the commission under which the sum was claimed would have expired in 1865. In 1863, 1864, and 1865 no Vote was rejected or reduced. In the face of notorious facts—namely, such infinitesimal deductions from a grand total of £358,392,422, he asked what adequate advantage was to be gained by opposing the passing of specific Votes in Committee of Supply? If any hon. Gentleman wished to imitate the late Mr. Williams and oppose any items he considered excessive in Committee of Supply, he (Mr. White) would be always happy to follow him into the lobby, but he should at the same time say that he did not believe that any definite or practical advantage would result from such a course. In the Session of 1864, he (Mr. White) moved for a Select Committee on the incidence of taxation, and then cited one fact which he would recall to the attention of the

House, as it went to prove how grievously the weight of the present taxation was felt by the labouring classes. In 1863 a calculation was made of the amount paid in taxes by 6,150 families in Manchester, Rochdale, and Bacup. The result of that calculation was that it appeared that a man who earned 30*s.* a week, and who had a wife and three children, paid—indirectly, of course—3*s.* 4*d.* a week in taxation. [Viscount CRANBOURNE: How much for beer?] He was free to confess, in answer to the noble Lord's question, that he had no doubt the working classes did spend a considerable sum of money on beer. Since 1863 the duties on tea and sugar had been reduced, still it could now be demonstrated that an artizan earning 30*s.* a week, with a wife and three children, was taxed incidentally and indirectly, under the operation of our fiscal system, to an amount quite equal to an income tax of 2*s.* 6*d.* in the pound. This showed the inequitable incidence of our present fiscal system; and was it, then, surprising that the incubus of pauperism was so great, and that an active controversy had been going on between a philanthropic peer and a dignified ecclesiastic upon the question whether the agricultural population in the West of England were as well fed, as well housed, and as well cared for as the horses of the upper and middle classes? The average rate of contribution to the Poor Law in England and Wales in the year 1864 was 4*d.* per head more than in 1846, when the average price of wheat was 10*s.* 1*d.* per quarter higher. How much the perverted optimism of modern society, and the current fashionable prosperity-talk, may have debauched and demoralized the public mind, and to what extent Imperial prodigality has provoked an imitative spirit of extravagance in local expenditure and private outlay, he would not then stop to inquire, but only point to the significant fact, that a total sum of not less than £100,000,000 per annum was now raised for Imperial taxation, local charges, and religious teaching. He thought that the House of Commons, as the grand inquest of the nation, ought to now address itself to this momentous question of national thrift. The hon. Member concluded by moving, in the terms of his Amendment—

"That the expenditure of the Government has of late years been excessive. That it was and is now 'taken in great measure out of the earnings of the People, and forms in no small degree a deduction from a scanty store which is necessary to secure to them a sufficiency, not of the comforts of life, but even of the prime necessaries of food, of clothing, of shelter, and of fuel.' That this House, while mindful of its obligation to maintain the security of the Country at Home and the protection of its interests Abroad, is deeply impressed with the urgent necessity of economy in every department of the State, and is of opinion that no Administration is deserving of the confidence of this House and the Country which shall not relieve the present burden of taxation on the unrepresented and other classes by making an early and large reduction of the Government expenditure."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the expenditure of the Government has of late years been excessive. That it was and is now 'taken in great measure out of the earnings of the People, and forms in no small degree a deduction from a scanty store which is necessary to secure to them a sufficiency, not of the comforts of life, but even of the prime necessaries of food, of clothing, of shelter, and of fuel,'"—(*Mr. White,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAXTER said, it was impossible to call attention too frequently and prominently to the question of national expenditure. Of late years it had been frequently said, and it had also been stated by the Chancellor of the Exchequer, that that House had abdicated its functions of checking the expenditure of the Government, and had itself, on the contrary, initiated great schemes involving the expenditure of enormous sums, which the Ministers did not seem to think necessary. He hoped the new House would not follow the pernicious example of its predecessors, but would carefully examine every item of the Estimates. He entirely concurred in the remark of the hon. Member for Brighton that it was impossible to sit in that House night after night, and go over the thousand and one Votes submitted to them, to do any substantial good. They would very rarely succeed in getting any item knocked off, and if they did, it would be something quite immaterial. The matter should be looked at as a whole, and the issue raised on the gross sum required by Government. He agreed with the hon. Member for Brighton that the present expenditure of the country was excessive. How stood the case? He believed he was not wrong in stating that the British people and statesmen on both sides of the House had made up their minds not to meddle in the miserable dynastic squabbles of the Continent, or questions of successions and boundaries. They had concluded a treaty of commerce with France, which was drawing the two nations together more closely and rendering war less and less possible. They had adopted the same course with respect to Austria, and he supposed that no one now believed that Russia was likely again to disturb the peace of Europe, at least not in this generation. Besides this, recent debates had proved that it was beyond the power of vituperative politicians on this or the other side of the Atlantic to produce any serious misunderstanding between Great Britain and the United States. With things in this state, what were we doing? We were all the time adding to our dockyards, and fortifying them, and indulging in huge expenses in fortifications abroad, expending twenty-five millions for armaments when fifteen were found to be ample before the year 1851. This was a most unsatisfactory state of things—especially when we remembered that we now had in England upwards of 100,000 Volunteers, who were as efficient for defensive purposes as any regiments in the service. He was sorry to say the Government showed a want of moral courage in dealing with any substantial reduction of the expenditure. He believed the Chancellor of the Exchequer was anxious for a reduction of the expenditure, but he required to be backed by the House. When his hon. Friend the Member for Brighton had adduced the fact of the Chancellor of the Exchequer having moved a Resolution to the effect that Government should take back their Estimates some years ago—[The CHANCELLOR of the EXCHEQUER: That is a mistake.] He might be mistaken. But it was in his opinion a more constitutional course to require the Government to take back their Estimates than to discuss the details in Committee. The Ministers were somewhat afraid of the Services themselves, but those Services, instead of being ashamed of getting so much, were, like the horse-leech, perpetually crying, "Give, give!" He was afraid a body of the country Gentlemen opposite took a sort of pleasure in anticipating danger from the other side of the Channel, which was wholly chimerical. For his own part, he saw no reason for so large an armament as the country maintained at home and abroad, and he held it to be most unwise to stretch the resources of the nation in time of peace, when our policy was one of concord with all nations. Perhaps the fault lay not so much with the Parliament and the Government as with the people themselves. But it was the duty of the Ministry to lead public opinion, and he was disappointed when he saw that they did not propose any really substantial reduction of the expenditure. As one who was well acquainted with the working classes, he knew they were greatly discontented with these enormous armaments. Hon. Gentlemen opposite clamoured for the repeal of the malt tax. He was himself as much opposed to that tax as any one; but how, in the name of common sense, could they hope to get rid of the malt tax while they kept up the present enormous warlike expenditure? He could not for the life of him understand, when he read the speeches of hon. Members opposite against the malt tax, how they could make those speeches and never say one word against the enormous military expenditure of the country. It was worse than idle, and only inspired false hopes, to talk about the repeal of the malt tax, or any other great impost, so long as the great warlike expenditure of this country was kept up. He made these remarks because he thought Government was not taking a right course in keeping up the military expenditure at a figure so large that it could only be justified by war being imminent.

MR. MARSH said, that having himself on a former occasion brought forward the subject of the Civil Service Estimates, he hoped he should be permitted to make a few remarks. The hon. Member for Brighton said the amount raised from the people by taxation was £70,000,000; but it was considerably more, because the consumers were charged with profits on the amount of the tax. For instance, if there was a duty of 3*s.* a pound on tobacco, the consumer paid not only the duty, but the shopkeeper's profit on the duty. He regarded the malt tax as peculiarly objectionable, since the effect was to raise the price of beer by two profits—the profit on the original cost of the malt, and the profit on the amount of the tax levied on it. It would be much better to raise it in its last stage just as it was made into beer, and thus not hamper the manufacture of malt. He certainly thought there was great room for economy, looking at the present state of the public establishments. As to the expenditure for the navy, he feared there must always be some extravagance and waste in the dockyards. It was to be hoped that the hon. Member for Portsmouth would not try to make that extravagance greater by bringing on a Motion to pay the dockyard men more. With regard to the army, no one would grudge anything that could add to its efficiency, or promote the health and comfort of the soldier. To do so would be very false economy. He had, however, some statistics taken from one of the Statistical Society's books, with respect to the English and French armies, which were worthy of some attention. True, they related to a comparison made some five years ago, but the proportions had not materially varied since then. It was generally supposed that the colonies made the cost of the British army greater than that of France, but that was not so, as France had nearly as many, if not quite as many, men in her colonies as we had. In 1860-1 the British army consisted of 146,044 men and 8,262 horses, and the estimated expenditure upon it was £14,606,000; whereas in the same year the French army included 400,000 men and 85,705 horses, and the amount of the budget was £20,129,000, making the proportionate cost of the British army to be more than double that paid by France. Probably some explanation could be afforded as to that state of things, and doubtless when the noble Lord the Secretary of State for War returned to the House he would probably furnish that explanation with his usual ability and clearness. Turning to the Civil Service Estimates, it was astonishing how they kept on increasing every year. That ought not to be the case, seeing that many items formerly included in those Estimates—such as pensions to refugees and many sums for the colonies—were not paid now. Simplicity of accounts was one of the first maxims of sound finance, but at present there was such confusion in these Estimates that it was most difficult to find out what anything cost. The charge for the Military School was put down in the Civil Service Estimates, whereas, of course, it should appear in those for the army. Again, coming to the expenses of that House, they found the charge for fuel put down in one place, and that for warming in another. Another principle of good finance was to have a correct debtor and creditor account, with the receipts on the one side and the disbursements on the other. Formerly the net revenue was paid into the Exchequer, and the expenses of collection were deducted; but now the practice was to pay the whole gross produce of the taxes into the Exchequer, and to leave the expenses of collection to be voted. That rule, however, did not seem to be always strictly followed; for the whole expense of Kingston Harbour was not given, but only the amount minus the shipping dues received there, and there were a great many instances of this sort of thing. That was a clumsy mode of doing business. He was not quite sure as to the stamps, but he believed the expense of collecting these duties was deducted before they were paid into the Exchequer, whereas he maintained that the gross sum ought to be paid in and the salaries of officers afterwards paid out, as in the case of the Customs. He was glad that Government should have adopted the rule of resisting proposals to place increased charges on the Consolidated Fund, since there was a continual tendency in these charges to increase. One man should never have the spending of another man's money. That principle was violated in the item for prosecutions. Some years ago one-half of the charge for prosecutions was put on the Consolidated Fund, and the consequence was that the expense had increased from £40,000 a year to something like £200,000 a year; and an hon. Member had a Bill before the House which, if it were allowed to pass, would make the expense still greater. Then there were other charges which ought to be local. There was a Vote this year of £7,525 for Westminster Bridge; £1,200 for county roads in Wales; £7,000 for the Chapter House at Westminster; and other things of that kind which were local charges, and ought to be raised by local rates. Why should not Westminster and Surrey pay for their bridges as other counties did? He agreed with the hon. Member that it was Parliament that was in fault. He was astonished at the yearly increase of the Civil Service expenditure, and at the introduction into that Estimate of charges for military schools and for the *Mermaid* powder-ship which ought to be put down in the Army and Navy Estimates. He further complained of the enormous sum paid for stationery. Then there was the Divorce Court, where there were always two people to blame and generally three, and there were the County Courts, which ought to pay their own expenses. The Courts of Law should be self-supporting. The expenditure for our criminals, which was enormous, would be much reduced if we made our prisons less comfortable. The education grants were often bestowed too freely where they were least required, and most sparingly where the need was greatest. There were Votes in the Civil Service Estimates for abolished offices, which might be saved by transferring the recipients of certain pensions to other employments. Hon. Gentlemen were much to blame for forcing an increased expenditure upon the Government. It was not competent for an individual Member to move a new Vote in Supply, but hon. Gentlemen frequently brought forward Motions which forced the Government afterwards to moves uch Votes. That appeared to be as unconstitutional a proceeding as if those hon. Members moved the Votes in Supply themselves. If hon. Gentlemen would only refrain from taking that course, and would also endeavour in Committee of Supply to curtail expenditure, the Estimates might be considerably reduced.

Sir STAFFORD NORTHCOTE said, it was incumbent on some one on the Opposition side of the House to say a few words, lest it should be supposed that Members sitting there allowed judgment to go by default on the accusation, thrown out by one or two hon. Gentlemen, that they encouraged all the extravagant expenditure complained of, and that all the economy came from the Benches opposite. It was natural that some one on that (the Opposition) side should rise and protest against such a doctrine. He did not say that there had never been an occasion on which hon. Members on that side had pressed upon Government an expenditure that was undesirable and unnecessary, or that hon. Gentlemen on the other side had not done anything to promote economy. That section of the House to which the hon. Member for Brighton adhered was no doubt deemed to be the most economically disposed section. He, nevertheless, could point out several Members on his own side who had uniformly taken part in discussions in Supply, and who had frequently—and sometimes not unsuccessfully—urged on the Government measures for the reduction of the expenditure. He could say that on that side there was a real hearty disposition—as far as was consistent with what they believed to be important for the service of the country—to curtail expenditure. But who was to blame for this extravagant expenditure? In some discussions there the subject was treated as a football, which was being continually kicked from one side to the other. The Government threw the blame on the House, and the House threw the blame back upon the Government. This might be very well as a means of producing animated discussions; but if Members wanted to come to practical conclusions they must look at the matter in a somewhat different spirit. Expenditure might be excessive in two distinct ways. In the first place, it might be excessive because it was more than was required for the purposes for which it was professed to be incurred, such purposes being in themselves proper and necessary; in the second place, it might be excessive because they undertook it for unnecessary or improper objects. In the one case it was waste, and in the other it was extravagance. The House ought very carefully to distinguish between the two cases. Very different principles ought to guide them in dealing with what he might call waste, and what, for want of a better word, he would designate extravagance. Waste must always be unjustifiable. If the country had spent more money than ought to have been spent upon the attainment of objects which were professedly desirable or necessary, if the Government were wasting any of that money, whether spending seventy millions, or sixty, or fifty, or only ten millions, they were equally to be blamed for that waste. Without reference to the amount they were drawing by taxation from the people, it was at all times the bounden duty both of the Government and of the House to resist anything in the nature of waste. Now, it sometimes happened that Motions bearing the appearance of Motions for an increase of expenditure were really Motions for the prevention of waste. An hon. Member conversant with the details of a particular service, perhaps discovered that the Government were not procuring the advantages which they ought to obtain by their expenditure, and very naturally brought the subject forward, and pointed out how by certain means the object might be attained with a very slight increase in the expenditure. If Government met such a Motion by saying that it meant an addition to expenditure they did not reason fairly. The Government ought to be strong enough to resist propositions connected with the expenditure, that were not justified by the circumstances, but it was the duty of Members to discuss questions of this kind, more especially if they could point out how the public expenditure might be made more available. It was very difficult, of course, to say what was and what was not necessary; that was a matter to which the Government ought to pay the greatest attention, and upon which the House ought to feel itself bound to assist the Government. So much for waste; as regards what he had called extravagance, a very nice and careful discrimination was needed. There could be no doubt that, whereas it was absolutely necessary for the House to incur just so much expenditure as was necessary for carrying on the Government, and for the national defences, it was not absolutely necessary for them to expend money on education, or for the improvement of the condition of the people, and on many other objects of that kind; but, on the other hand, that money was well spent, and it was worth while, for such judicious expenditure to tax the people, provided they did not tax them beyond their ability, or beyond the value of the services rendered them in return. Here he agreed with the hon. Member for Brighton, that the question how much they should take out of the pockets of the people and how much was returned presented itself. It was the duty of those who represented the country to bring forward and discuss questions of that kind. If Members, knowing the feelings and wishes of their constituents, urged that certain advantages desired by them should be given to them, those Members ought not to be taunted for so doing. The Government ought to consider the question as a whole, and the House as a body ought to have the conscience to support the Government in deciding upon propositions of this nature. He agreed with the proposition of the hon. Member for Brighton, quoted from the Chancellor of the Exchequer, that a large part of the expenditure was supported by taxation drawn from the earnings of the people. They were so wealthy as a nation, and so liberal in large expenditure, that the wealthy classes did not sufficiently recollect that what was nothing to a great capitalist might be very serious indeed to men of limited means and to the body of the people, who, nevertheless, if the House wished to maintain a proper system of taxation, must be taxed in the same proportion as other members of society. Therefore, as taxation fell very heavily upon the poor, it was the bounden duty of the House to consider most minutely all proposals for expenditure; and when the Government did its duty in resisting the proposals which might be deemed to be beneficial, but which the nation could not afford, the House ought, as a rule, to stand by the Government. This was a matter which engaged the attention of all the Members of the House, but he would put it to the hon. Member for Brighton whether he saw any advantage in going to a division upon such a question, or in placing upon record Resolutions of that nature. He, himself, did not see that such a course would advance matters very far. The discussion of the subject might have done good. Before entering upon the question of the Estimates, and the consideration of Votes of large sums of money, it might be salutary for such discussions to take place. He, however, was rather afraid that if the House were to pass such a Resolution as that in the first instance, and then follow it by doing nothing, it would be justly liable to the accusation the hon. Member for Brighton brought, not without some plausibility, against the Chancellor of the Exchequer, of denouncing expenditure and satisfying themselves by condemning in words what they did nothing to stop by their deeds.

Mr. LAING: Sir, I regret that the hon. Member for Brighton should have so worded his Resolution as to make it impossible for me to go into the same lobby with him. Nothing is to be gained by vague and exaggerated statements, or by mixing up political with financial questions. Such statements tend to throw discredit upon those who advocate real economy, and to confound in the public mind two totally different characters—the practical reformer and the professional agitator. An attempt is here made to import subjects of political agitation into questions which, properly speaking, lie in the domain of economy. The Resolution, as it stands, contains the gravest charges which it is possible to bring against the Government of the country, and against the political system by which that Government is supported. It states that the expenditure of the country has not only been excessive and extravagant, but that the political system which encourages this extravagant expenditure throws the burden of it so unfairly upon the unrepresented classes as not only to deprive them in a great measure of the comforts, but even to stint them of the barest necessities of life. Were that statement true, it would be the best apology for Fenianism, and the strongest possible argument for universal suffrage. A system under which such a state of things existed ought not to be tolerated for a single day. I have to complain that the Motion of the hon. Gentleman puts those who advocate real economy to the unfair alternative of seeming to vote against economy or coinciding with the statements contained in the Resolution. [Mr. WHITE: They were the Chancellor of the Exchequer's own words.] Yes; but the meaning of words depends almost entirely upon the context. Words used in a speech may have borne an entirely different meaning from what would attach to them when singled out and appended to a Resolution bringing grave charges against the Government of the country. To understand the facts correctly it is necessary to see how far expenditure has been excessive or extravagant, making allowance for those causes which have swelled the outlay not alone in this, but in foreign countries. I will not go further back than the period immediately preceding the outbreak of the Crimean War. Our expenditure has, no doubt, increased considerably within the ten years from 1851 to 1861; but it should be recollected that in the former years the charges for the collection of the revenue were taken out of that revenue before it was paid into the Exchequer. Those charges amounted, in round numbers, to £4,500,000. Deducting, therefore, those charges from the revenue of the year ending March, 1852, just before the Crimean War, we obtain in round numbers the sum of £51,000,000 as the gross expenditure. We find that our expenditure for the year ending March, 1861, amounted to £61,000,000, showing an increase of £10,000,000, of which £9,000,000 belonged to the Army and Navy Estimates. But in estimating the reasons for this increase we ought to consider the causes in operation, and to inquire whether they were such as to make that increased expenditure inevitable. What, then, were the causes of that large increase? The Russian War dispelled the feeling of security which Europe had enjoyed for forty years, and introduced a new era of alarm and political tension, from which we are only now again beginning happily to escape. Who could have anticipated that in the short interval elapsing since the Great Exhibition of 1851, opened with such bright promise of inaugurating a new era of peaceful progress, the Russian, Italian, and American wars, three of the greatest that the world ever saw, besides the Indian Mutiny, should all have taken place? In the self-same period, through the course of scientific improvement, the entire reconstruction of our armaments, both by sea and land, became necessary. We could not help that reconstruction any more than we could help the substitution of guns for bows and arrows, or cannons for catapults. Guns, forts, arsenals, dockyards, ships—every single item of our land and naval armaments had to be reconstructed at an immense cost. It was like the substitution of the spinning jenny for the old spinning wheel; but, unfortunately, we had no Arkwright at the Admiralty. We had to grope our way to very partial results through very expensive experiments. To the causes of increased expenditure I have already enumerated must be added the gold discoveries in California and Australia, which gave a great impulse to commerce everywhere, and a consequent rise in the amount of wages. The raw material of our army and navy being provided through voluntary enlistment, and not by conscription, as in foreign services, had to be procured at a higher cost. In addition to this, the attention of the public was roused to many defects in the naval and military administration. Feelings most humane and proper in themselves, but which were somewhat expensive in their consequences, led to a great many sanitary and other improvements in the condition of the soldier and sailor. No one, I believe, at this time would wish to see us retrace our steps with regard to pay or allowances granted. Nevertheless, they must be taken into account when inquiring into the reasons for increased expenditure. But in order still further to test the nature of this increased expenditure, let us look to other countries. France was engaged equally with us in the Crimean War, and she has since maintained for a few months a great war in Italy, but war has never menaced her own frontier, and she has never engaged in one which was not of her own seeking. Yet how does she stand by comparison with England? While our total expenditure increased by £10,000,000, or at the rate of 20 per cent, France, during the same period, increased her expenditure £30,000,000, or at the rate of 50 per cent. [An hon. MEMBER: But what about the railways?] The money advanced by Government for the railways was given at an earlier date, and was not included in the period covered by the figures which I have just quoted. In England the National Debt, measured by the annual charge upon the people, has positively decreased, while France has increased her debt by no less than £150,000,000 sterling. It may be said that the case of France is exceptional. Well, take two smaller neutral States that have not engaged in any war, and have been governed with prudence and economy —Belgium and Holland. Comparing their total expenditure for the same period, it will be found that the Budget of Belgium has risen from £4,800,000 to £5,760,000, or at the rate of 20 per cent increase. The Budget of Holland, in the same time, has risen from 70,000,000 of florins to 86,000,000 of florins, or at the rate of 23 per cent increase. So that the percentage of the increase of English expenditure during that period has been actually less than the average increase of neutral States which have not been involved in any hostilities. Although, therefore, I think it unfair to say that the increase has been extravagant and excessive, yet still no doubt it has been very large ; and the question arises, how far the Government can fairly be held responsible for any portion of it ? The Government I believe to be partly responsible for this expenditure. Injudicious interference with Foreign Affairs, particularly the Polish and Danish questions, and the unfortunate propensity of our Foreign Office to lecture and scold where it does not mean to fight, tended to prolong that state of political tension in Europe which is the cause of increased armaments. At the same time, having made that admission, I am bound to say that in the main this country is not responsible for the larger part of that expenditure. After the close of the Russian war this country was disposed to have reverted *bonâ fide* to a peace establishment if other countries would have done the same. On that point I can speak feelingly, having given my humble co-operation to the present Chancellor of the Exchequer in urging upon Lord Palmerston's Government larger reductions of the Estimates than Lord Palmerston at the time thought desirable. To a great extent we succeeded in that pressure, and the Army and Navy Estimates were in the year 1858 brought down to £22,500,000, or about £6,000,000 above the figure at which they stood previous to the war. But did other nations follow this example ? On the contrary, France proceeded with the reconstruction of her navy, and kept both navy and army in a state of the most complete and formidable efficiency, ready for war at a moment's notice. I do not mean to imply that the Emperor of the French acted with any hostile design towards this country. It would be unreasonable to expect that the able and energetic ruler of a great and military nation like the French, himself no mean authority on the scientific branches of the profession, should have abstained from adopting modern improvements and from putting his army and navy upon the most efficient footing, solely because it happened to be inconvenient to a neighbouring country to follow his example. As far as we were concerned, however, the effect was the same as if those measures had been taken with an unfriendly motive. In a short time we found ourselves in a position of such relative inferiority as necessarily excited a periodical panic in the minds of people in this country, and gave rise on our part to feelings of irritability and suspicion tending to a very great extent to endanger that cordial alliance between England and France which formed the keystone of European civilization, and the best security for a lasting peace. The result shows, I think, that reduction is not always economy, for in two years from that time the Army and Navy Estimates had again gone up to £31,000,000. I frankly admit that I believe Lord Palmerston was right in the view which he took upon that occasion, and that if I and those who concurred with me had not been so precipitate in urging a large diminution of expenditure in 1858, our Estimates would not in 1860 have been so enormously increased. All danger, however, has been happily averted by the reconstruction of our navy to a sufficient point of efficiency, but above all by that noble and patriotic Volunteer movement by means of which our establishments were placed upon a footing essential to the maintenance of peace in Europe. Europe, too, itself, has at length been brought face to face with the financial embarrassments occasioned by a condition of armed peace, and begins to retrace its steps and to reduce its expenditure. The Emperor of the French especially, who sets the fashion in those matters, and whose influence is so great that it would always dictate the policy of other nations with regard to the keeping up of warlike establishments, is, in my opinion, so thoroughly alive to the great current of opinion in his own and other countries, that he has made up his mind to act upon his own maxim that his "empire is peace." I trust, therefore, the time has arrived when those extravagant armaments may be reduced which weigh on the energies not so much of England as on those of the other States of Europe. With respect to the question of real economy in the Estimates, it depends very much on three points, in reference to each of which this House was in a position to effect a great deal. The first great subject is that of our foreign policy, to which I have just referred. If the House of Commons will, as I hope it will, enforce the principle of non-intervention it will soon be discovered that that is the real and cardinal foundation of economy. In mentioning non-intervention I would not be understood as speaking in an abstract and inflexible sense, but simply as laying down the broad rule that we should trust to our own strength and forbearance for our security rather than to perplexing and entangling alliances. That we should not interfere unnecessarily in the internal affairs of other nations. Above all that we should never resort to war, except in the last emergency, to defend our interest and honour. Next to our foreign policy comes the important question of the policy pursued by us in relation to our colonies. A great portion of our expenditure under the head of the Army and Navy Estimates has been occasioned by the forces which we have deemed it expedient to keep up in New Zealand and the Cape of Good Hope. It has been the humane policy of this country to station large armies in those colonies, to carry on a systematic warfare in order to prevent the colonists from dealing with the native inhabitants after their own fashion. I think, however, that policy has completely collapsed, that it has, indeed, been reduced to a complete *reductio ad absurdum* in New Zealand, where 10,000 British troops have been stationed with scarcely any other result than to prove how directly those in authority there may paralyze the undoubted gallantry of our officers and soldiers. Such a state of things brings discredit on our administration. Beyond the questions of our foreign and colonial policy, the enforcement of economy depends on the administrative ability and experience of those in office—in the finding of efficient men, placing them in situations of defined responsibility, and exacting from them a rigorous account of the work done. The point is one, however, which it is useless to discuss at any length, because it involves a question of persons, and not of principle. The hon. Member for Brighton will find, if it should ever be his lot, as it has been mine, to grapple with actual Estimates, that they turn entirely on matters of detail, each of which must be judged upon its own merits, before any reduction can fairly be effected. They are composed of a thousand items, each of which involves questions difficult of solution. Upon this view of the case I should be sorry to pronounce any positive opinion in the present instance, because I have had no opportunity of examining the facts. I may, perhaps, at the same time, assume that some of our great public Departments, especially the Admiralty, are not placed upon such a footing as to guarantee the greatest possible economy. I have always found in public and private establishments that the best guarantee for such economy is to be found in the fact that there is a clear chain of responsibility running from a single person through a series of individuals from the top to the bottom. What is required in the case of the navy, for instance, is one responsible Member sitting in this House to whom should be delegated the whole authority, and upon whose shoulders the whole responsibility would properly rest. In any effort to bring about such a result, I should be most happy to co-operate with the friends of economy. I cannot concur with the hon. Member for Brighton in charging the Government with having thrown the burden of taxation so unfairly on the unrepresented classes as to deprive them of the comforts and to stint them in the necessaries of life. Such a charge I regard almost as a libel on the free trade legislation of the last twenty years, and as unjust to the memory of that greatest of modern statesmen, Sir Robert Peel, by whom that legislation was inaugurated. When the hon. Member spoke of the food of the humbler classes, I would ask him, whether he has never heard of such an event as the repeal of the Corn Laws? Is it not true that, with the exception of a duty of one shilling a quarter on foreign wheat, the provisions of the working man of every description—bread, meat, salt, butter, cheese, eggs—are absolutely and totally untaxed? Can the same be said of any other country? If the hon. Gentleman goes across the Channel to Paris, and many other places in France, he will find that burdens which are here defrayed by means of direct taxation are there met by an *octroi* or tax on those very articles of food of the labouring classes. Take, too, the article of clothing. Is there any country in the world but this in which every article of clothing, from the raw material to the manufactured article, is as free from taxation to the working classes as the very air they breathe? Where is the country in which the cost of these articles is not enhanced by taxation either for revenue or protection? At this moment in the United States the working man is obliged to pay a tax for his own clothing as well as for his wife's gown and bonnet. He is there burdened with taxation at the rate of 50 per cent for articles for which in England he is not subjected to the charge of a single farthing. As to shelter, by which I suppose my hon. Friend means house accommodation, I would ask whether he has never heard of the duties on bricks, on timber, on glass, which have now all disappeared, with the exception of a small remaining duty on timber, which also will, I hope, shortly be abolished. Then comes the article of fuel. Was there not formerly a tax upon seaborne coals, upon oil, and other articles of artificial light and heat? Are not all these articles now admitted perfectly free from taxation? I should also like to know, is it not quite as prime a necessity that commerce should be free as that provisions should be cheap? and has not that object also been effectually accomplished by the abolition of all the duties on the raw material of manufacture, so that all those obstacles are removed which tended to cramp and limit the expansion of commerce throughout the kingdom? That expansion had been enormous. The export trade of this country has arisen, within a period of ten years, from £250,000,000 to £500,000,000 sterling, during which time the increase in the population has not been above 10 per cent. But to come to the taxes on comforts, is it not the fact that in this case, too, there has been a considerable reduction? In addition to the reductions which I have enumerated, has not Parliament repealed entirely the duties on soap and on paper? Has not the rate of postage been brought down to a penny? Have not the duties on tea, sugar, coffee, cocoa, currants, wine, hops, in addition to those on many minor articles, been either abolished or greatly diminished? Have not, in short, the duties on all articles of general consumption been either repealed or reduced, with the exception of those on spirits, beer, and tobacco? The test of figures might have been easily applied to the subject. Taking the three articles, tea, sugar, and tobacco, I find that during the ten years ending in 1865 the consumption of tea increased from about 50,000,000 lb. to over 100,000,000 lb.; the consumption of sugar increased from 6,000,000 cwt. to upwards of nine and a half millions, more than 50 per cent; and the consumption of tobacco increased upwards of 40 per cent. All this occurred during a period when, if the rate of increase had been measured by population, the consumption should only have increased 15 per cent. So that it is as demonstrable as figures can make it that after fifteen years of alleged misgovernment the "oppressed people" are actually in a position to consume nearly twice as much per head of those comforts of life I have named as they were formerly. Many other facts could be stated to show how greatly the condition of the working classes has improved during the period I have referred to. For instance, the number of children attending schools visited by Government inspectors has increased from 460,000 to upwards of 1,000,000, and the deposits in savings banks have increased in amount from £34,000,000 to £44,000,000. But it has been said that although the position of the people has improved, and although the taxes have been more productive, yet they are unfairly levied. The upper and middle classes have been charged with having misused the political power vested in them by relieving themselves of a fair share of the burden of taxation, and thrusting this burden upon the shoulders of the working classes. But what are the facts? Where has the money come from which made financially possible the consideration of the well-being of the working classes and the freeing of industry by numerous revisions of taxation? Why, those very upper and middle classes, in whom political power has been vested, voluntarily submitted to a large share of taxation, in order to give the working classes the benefit of the reductions I have enumerated. The income tax was imposed, the succession duty was increased; and taxes were imposed in the nature of stamps upon transfers of property. An analysis of the Budgets of the last few years shows that £22,000,000, or 30 per cent of the whole amount of the Budget, is the amount of direct taxation paid on account of State purposes alone. But if local taxation be included—and it should be included, for it is a necessary part of the national expenditure—it will be found that upwards of £30,000,000, or about 40 per cent of the whole expenditure of the country, is levied by direct taxation. Then what of the remainder? £26,000,000 is raised by the taxation of various stimulants, such as spirits, tobacco, malt, and wines. It may, perhaps, be a question whether wine and beer should be classed with those comforts the consumption of which it is desirable to cultivate by moderate taxation, or whether they should be placed with those nervous stimulants upon which it is desirable to raise the largest revenue possible without inducing smuggling. There can, however, be no doubt about spirits and tobacco, and upon these alone £19,000,000 has been raised out of the £26,000,000. But upon such legitimate comforts of the people as sugar, tea, coffee, currants, raisins, and other minor articles, the duties have been so far reduced that not more than £12,000,000 has been raised by them altogether. The facts I have mentioned are so important, and speak so powerfully for themselves, that I will recapitulate them. Leaving out of the calculation, for the sake of simplicity, such miscellaneous items as the Post Office, the Crown lands, and the charges on account of India, both on one side of the account and the other, the expenditure of the country may be broadly set down at £70,000,000, of which £10,000,000 has been raised for local and £60,000,000 for State purposes. Of that £70,000,000, I find that £30,000,000 has been raised by direct taxation, £26,000,000 by duties upon nervous stimulants, and £12,000,000 only by taxes upon those articles of consumption which form the comforts, not of the working classes only, but of all classes of the community. I ask confidently of any one who understands such questions whether that is not on the whole a fair and equitable system of taxation, and whether it can be said with truth that the working classes are unduly burdened with taxation. I would especially appeal on this head to the hon. Member for Birmingham (Mr. Bright), whom I am sorry to find absent. Indeed, I regret that the hon. Gentleman so seldom confers upon the House the benefit of his assistance when financial and economical questions are being discussed. I have another reason for believing in the soundness of the English system of taxation. The House of Representatives in America, having to raise a revenue about as large as England, with which to meet the late war expenditure, had to consider what was the best system to adopt. They delegated the subject to a committee, which has, after reviewing the various fiscal systems throughout Europe, reported that England affords the best precedent to follow as the means for raising seventy millions of taxation with the greatest ease and fairness to the people. I have been led to make the remarks I have, because it is possible attempts will be made to revive political agitation by holding out for the consideration of the working classes vague statements which I believe to be absolutely untrue. In no country have the interests of the working class ever been more faithfully and honestly and more successfully considered than by the reformed Parliaments of England since 1832. Shall I be told that the working man is unrepresented when that great Minister to whom I have referred—Sir Robert Peel—made the sacrifice he did of his high official position in order that he might cheapen the poor man's loaf, and put him in a position to get a fair day's wage for a fair day's work? Will it be said that the same interest has not been well represented in the House by my right hon. Friend the Chancellor of the Exchequer, although he so long sat as the representative, not of a working man's constituency, but of the dons and graduates of the University of Oxford? I contend that the working man is fairly dealt with by Parliament, and I trust that political agitators will not endeavour to make capital and curry favour with the working classes by raising the cry of "oppressive taxation." We have the question of Reform looming somewhat dimly through the mist of the Treasury Bench, and when it comes before us let it be treated fairly upon its own merits, but do not try to make political capital out of financial questions. On social and political grounds I shall be ready to give it my fullest consideration when I see it before me, if I ever do. But on financial and economical grounds, whatever the working man might gain by having a vote, whether the proposed measure of Reform shall pass or be rejected, he will find that it will make no difference in the disposition on the part of the House and the Government to enforce every practicable economy, and make his wages as high and his taxes as low as the unalterable principles of political economy will admit.

MR. M'LAREN said, he wished for a few moments to call the attention of the House to some of the very extraordinary statements which had been made in the course of the speech of the right hon. Gentleman who had just sat down. That right hon. Gentleman wished them to believe that the present system of taxation was most equitable as regarded the poorer classes of society; that they paid a comparatively small ratio of taxation; that the English system was a model for other countries to follow, and that, in fact, other countries were about to follow it. He (Mr. M'Laren) would beg leave to say that, having very recently looked into this question, he had been quite appalled by the magnitude of the taxation raised from the working classes, as compared with the amount which was paid by those above them. The question was, how much did the working classes pay, and how much did the other classes contribute? It was not the duty of this House to lay down a code of morality, and say what things were good for the working classes and what were not. But it was an important subject to inquire how much the working classes did consume of taxed articles; to know how much they really did pay; and what would be the state of the national exchequer if they consumed and paid less. The taxes which the working classes largely participated in were these—spirits, which, including the Excise and Customs duties, amounted to over £13,250,000; and tobacco, which came to over £6,000,000. The duty on malt was over £6,000,000; that on tea over £5,000,000 (tea, including coffee, chicory, and cocoa, and those other beverages which usually went with it). The duty on sugar was over £5,000,000; but besides taxing the articles themselves, they indirectly taxed them over again by requiring parties to pay for licenses to make and sell them. These license duties on the articles which he had enumerated, for the sale or manufacture of them, amounted to no less than £1,750,000. Then there was the duty on corn, amounting last year to over £500,000—while some years before it was a considerably larger sum. He had quoted these figures in round numbers from memory, but he knew that they were correct. If any hon. Gentleman would take the finance accounts for last year and add up the items of the articles which he had enumerated, he would find that the sum amounted to £38,500,000. Well, if £38,500,000 were raised by taxing these six articles, how much remained raised by other taxed articles, and all the other sources of taxation paid by the higher classes? There was only £30,500,000 raised from all other sources, while £38,500,000 was raised upon six articles alone. Who went to the gin palaces, the whisky shops, and the beer-houses, and paid that £20,000,000 on spirits and malt? Why, the working classes. Taking them family by family, the poor paid more than the rich for these two articles. Then as to tobacco, no one would say that the working classes did not pay as much per head as the other classes. As to tea and sugar, he admitted that these were more favourable for the richer classes, but they amounted only to £10,000,000 out of the £38,500,000. Taking the whole of this £38,500,000, therefore, and allowing for the surplus of the tea and sugar duties paid by those in superior circumstances, he maintained that it would be a fair calculation to assume that every family in the kingdom, rich and poor, paid an equal amount of these taxes. In the Highlands of Scotland, and many of the rural districts of England and Ireland, there must be many who could not afford any of these taxed articles. They might deduct 500,000 families on that score. There were only 6,000,000 families in the kingdom, making a population of 30,000,000. If 5,500,000 of these families had £38,500,000 of taxes pretty equally divided amongst them it came to this—that every family, rich and poor, paid £7 in taxes on these six articles. The right hon. Gentleman who had just sat down seemed to think that this was an equitable arrangement as regarded the poor. He (Mr. M'Laren) thought it a most inequitable system that a man who earned perhaps £50 or £60 a year should be called upon to pay £7 a year to the tax-gatherer—and it would not be far wrong to assume that besides paying this £38,500,000, they paid at least £7,000,000 or £8,000,000 more in the shape of profit to the middlemen and retailers of these articles; and this should be considered as part of the burden which they had to bear. The right hon. Gentleman assumed that there were no other taxes of which the working classes paid any part. What became, then, of the Post Office revenue, the duty on railway passengers, on stage coaches, cabs, and small conveyances, stamps on railway shares, the stamps on the title deeds of the cottages built and owned by the working classes, and the duty on every legacy exceeding £20? All these sums must be added to the taxation of the working classes, and if a fair analysis were made of the whole by hon. Gentlemen who had not considered the question they would be appalled by the magnitude of the taxation which fell upon the working classes, and would be delighted to assist in framing a more equitable system of taxation.

THE CHANCELLOR OF THE EXCHEQUER: Sir, my hon. Friend the Member for Brighton has, I think, been the means of giving rise to a discussion of great interest, and I trust I may assume that it is not his intention to divide the House. Although my hon. Friend has done me the honour to embody a portion of a speech of mine in his Motion, I think he will himself feel that the language in which his Motion is couched is too warmly coloured to make it suitable to convey the deliberate judgment of this House. We oftentimes speak of the system of expenditure in this country, and of early and large reductions, in a manner which if we were to employ such language to convey the deliberate views of this House would give rise to serious misapprehensions, and excite expectations which could only meet with early and, perhaps, angry disappointment. I should like, however, to make two or three remarks, because my hon. Friend the Member for Brighton has, I think, misapprehended, doubtless through my fault, the meaning which I intended to attach to any remarks of mine upon the respective responsibilities of the Government and the Parliament in relation to public expenditure. If I have ever said anything which has led my hon. Friend to suppose, as he evidently does suppose, that I think when an Estimate is proposed by a Ministry to Parliament, and is debated by Parliament, the principal responsibility of that Estimate rests with Parliament, and not with the Ministry who proposed it, I can only express my regret at having been accessory to the spreading of a most mischievous opinion. A Government is responsible for all the expenditure it proposes. Parliament, no doubt, is responsible as towards the people in its own measure and degree; but the principal responsibility rests entirely with the advisers of the Crown. If there is a fundamental difference of view between the advisers of the Crown and the House of Commons in relation to expenditure, the only course open to those advisers is to tender their resignations, for the difference is irremediable. The right hon. Baronet (Sir Stafford Northcote) has also shared in this misapprehension; because, in the course of his intelligent speech, which was couched in an excellent spirit, he said there was a certain bandying of this responsibility to and fro between the Administration and the House of Commons. But, as far as proposals by the Government are concerned, there can be no such bandying by them. The Government accepts the responsibility which belongs to it, and cannot throw off any portion of it on the Parliament. I would, however, refer to an entirely different subject—not to proposals made by the Government, but to Motions which emanate from private Members, a practice which has so much grown that I can assure my hon. Friend if returns could be made of all the Motions, questions, and divisions having the avowed object of promoting an increased expenditure, the number would, economically considered, form a serious fact; and a still more serious consideration if regarded constitutionally. It is not merely that to a certain extent Members of Parliament may take out of the hands of the Government the initiative which, as my hon. Friend said, properly belongs to the Government, but it is this—the House of Commons cannot possibly unite the two functions. If the House of Commons by its votes, or in the persons of large numbers of its Members, tolerates and encourages the practice of each man recommending his favourite topic of expenditure, recommending generally some increase of expenditure especially advantageous to his own constituency, it cannot unite the double function of initiating and checking the expenditure: it becomes totally unable to check the Government, and by a reflex effect is prevented from exercising that control over all expenditure which is one of its chief duties. I can well understand my hon. Friend the Member for Montrose (Mr. Baxter), when he says that he is disappointed at the figures in the Estimates laid upon the table. At the same time my hon. Friend will, I am sure, perceive that of late years a sensible and a satisfactory reduction has been made in the amount of charge and the amount of force in the figures connected with the army. There is a fallacy in the comparison between the figures of the present and recent years, as for the last few years more than a million of money has appeared on both sides of charge and receipt, arising out of the expenditure connected with the East India Company, which did not previously enter into the accounts. In the Army Estimates for this year there is a sensible reduction of 4,000 or 5,000 men, and a reduction in the amount of charge, which is not to be despised. But the question of the army charge is, as has been said by my hon. Friend behind me, eminently a question connected with others that are collateral if not intrinsic, particularly with that of the colonial policy of this country. I believe I am not overstating the case when I say, taking every circumstance, such as the transport of the regiments, into consideration, that New Zealand finds employment for from one-twelfth to one-tenth of our force. The result is essentially and immediately owing to the system which it has pleased this country to adopt with regard to our colonies. Do not let the hon. Member suppose that a mere sudden determination on the part of the Government or a single decision in this House can in a moment alter that which is the result of long traditions, of habits, of practice, and of policy existing throughout several generations. In the same way with regard to the Navy Estimates, which are certainly equal to those of last year, if the hon. Member will investigate the Votes he will find a reduction of £350,000 connected with the service, but the whole of that saving is neutralized and counterbalanced by an increase in the Vote for works. And to what source is that increase due? Why, to the recommendations of a Committee of this House—not that I mean to say that these recommendations have not met with the approval of the Government. Then as to another point upon which I differ from the hon. Member. He asks, in a tone of exultation, where the battle of retrenchment is to be fought, and says, "Certainly not in Committee of Supply." In answer to that question I quote the words of the hon. Member behind me, who said, with truth, that the whole question of public expenditure is a question of detail. The hon. Member said that on former occasions I have denounced the public extravagance; but I say no credit is due to such denunciations unless they are carried patiently and laboriously into every minute detail of public expenditure. For my own part, I am afraid I have sometimes gone to the verge of giving great offence, urged not by a lack of zeal but by over zeal in resistance to particular Motions for increased expenditure. I do not mean to deny that when some grave question is brought before the House great good may not sometimes be done by a discussion on the general principles of expenditure. But it is in detail you must look for economy; and to one occasion within the last few years this observation particularly applies. How was it that Mr. Hume created for himself the position he occupied in this House? It was by his great zeal, by his patient, untiring, most arduous and most ill-appreciated services. It was by devoting himself night after night, month after month, and Session after Session, to diligent and careful inquiry. It was by giving the very pith and labour of his life to the work of making himself master of the particulars of public expenditure, so as to meet every man in office with a perfect knowledge of every detail connected with his Department, that he won for himself the high position he deservedly occupied in the estimation of the House. I know no instance in this or in any other country that can supply us with an example so remarkable as that furnished by the patience, the honesty, the courage, and, I will add, the intelligence with which Mr. Hume investigated the details connected with every public Department, and which enabled him to produce those effects upon the expenditure of the country that are recorded in his history. Yet I feel satisfied that, had Mr. Hume been alive, he would not have taken the side of the hon. Member in this discussion. This House will never be thoroughly equipped with regard to its stewardship of the public expenditure unless there are in it a race of self-sacrificing men who, standing in the position of independent Members, will do us the immeasurable service of devoting their time, energy, and labour to the wearying, irksome, and self-denying work of making themselves thoroughly acquainted with a vast mass of details, by following from point to point every item of public expenditure, and bringing to bear upon it the force of independent judgment and the light of public opinion. Having touched briefly upon these points, I think that, this evening being one usually devoted to public business, and which the House always allots to the statement on the Navy Estimates, to which it listens with the greatest interest, I should be acting unwisely in further occupying your time. I trust, therefore, that you will in future most jealously watch every proposal of the Government, and the hon. Gentleman will never find us indisposed to the freest, the most open, and the most searching discussion upon the subject of the discharge of public duties. I hope, however, that the hon. Member will not think it necessary to divide the House upon the matter, and will withdraw his Amendment.

Amendment, by leave, *withdrawn.*

CONFLICTING METROPOLITAN JURISDICTIONS.

OBSERVATIONS.

Lord ROBERT MONTAGU: Sir, I wish to call the attention of the House, before going into Committee of Supply, to a subject which I consider almost of national importance. It certainly affects all of us very nearly. Some of us have to endure evils—which might easily be remedied—for six months in the year. The rest have to undergo them from one year's end to the other. I suppose this is a subject which no metropolitan Member can take up without either offending his constituents or sacrificing his conscience. I propose to ask a question instead of moving for a Committee, because of some words which fell from the Home Secretary last year on the Motion for a Commission to consider this very point. He said he did not understand what advantage would result from the appointment of a Commission, because the facts were already known. If it was not necessary that a Commission should then be appointed, still less is it necessary that a Committee should now inquire into the matter; and, therefore, I shall content myself with asking whether the right hon. Baronet intends to introduce any legislation on the subject. Before putting the question, however, I will say a few words to point out the evil. This is, I suppose, the largest and most opulent city in the world; yet there is not a small borough in the kingdom which might not favourably compare with it in results. On the other side of the water Paris is infinitely more beautiful, more clean, and more convenient than London; yet it is not nearly so wealthy. In Paris the municipality actually find their improvements are a source of revenue. Here we have no improvement, yet our rates are always heavy. What is the want? What is the deficiency? First, we want those to rule, who have a sense of responsibility, and of shame—not those who are so low that public opinion and the public prints never reach them. Secondly, we want those to rule who could devote their time to it—not those who hasten carelessly over the business, in order that they may be able to run away to their money-making pursuits. These two objects can be attained only by a Board whose character is high and whose authority is established. Above all, we suffer from want of unity. There are in London numerous boards and jurisdictions which divide the metropolis between them, not according to one system, but according to nineteen different systems. These various jurisdictions hustle and jostle each other, and prevented any good from ever being done. I was myself surprised when I found the number of jurisdictions into which London was divided. First, there is the corporation of the City; then the corporation of the city of Westminster; there are 39 Boards of Guardians, subdivided into relief districts; there are 88 parish vestries and vestries of district parishes. Then there is another division into eight Parliamentary cities and boroughs. There are 37 registration districts for the registration of births, marriages, and deaths; and 135 sub-districts. But these are not conterminous, they have different limits. Then there are the Conservators of the River Thames, and there is the Metropolitan Board. That again is divided into 39 constituencies, and each is subdivided afterwards into wards. Then the inland revenue divides London into surveyors' districts for the purpose of the Excise, and these again are divided into collectors' districts; but the inland revenue itself also divides London into totally different districts for the purpose of the income tax. The Metropolitan Building Act divides London into 56 different districts; the County Courts Act into 13 districts; the Metropolitan Police into 19; the Post Office into 10; the Lords Lieutenant into 4 districts, with 4 different sets of magistrates. For the Militia it is subdivided into 15 districts. It is divided into 17 districts for gas supply, and into 8 for water supply. These different districts are not conterminous, and are formed on 19 different systems. And what is the effect of having so many different systems? First, take the financial effect in one district. The city of Westminster comprises 9 parishes and 5 boards of local management. They have a staff of clerks and officials sufficient for the whole metropolis. They have 21 clerks and vestry clerks; 6 surveyors, 4 solicitors, 9 officers of health, 6 inspectors of nuisances, and 9 staffs for their 9 workhouses. Now, what is the sum which Westminster collects every year? £194,031. Marylebone parish collects a like sum—namely, £194,036; a difference of £5 only between them;

but what a difference there is in the expense as regards salaries and poundage! In Westminster, out of £194,000, they pay £17,462, while Marylebone, for having the same work done a great deal better, only pays £7,711. So much for the financial effect of dividing London into so many different districts; now let us look to the effects which every one must see with his eyes. I do not merely allude to the state of the streets, where no one can walk without getting into basins of mud; while those who drive in vehicles are made aware of holes in the streets by the severe jolts they receive. Nor do I allude merely to the roads, which are neglected till dangerous, and then macadamized until impassable. I allude to evils of greater magnitude. Conceive a new street laid down firmly and handed over to the parish vestry. No sooner is it paved, and the traffic of it begun, than down comes a water company who desires to lay down their pipes; the whole street is torn up, and the traffic stopped for a month. At length their operations are concluded; the pavement is relaid and the traffic resumed. This lasts not a week when a gas company takes up the pavement again to lay down their pipes, and for another month the public and the shopkeepers on both sides of the way suffer the greatest inconvenience. Again it is paved, and the traffic resumed. But after this severe ordeal the street, of course, is seriously impaired, and then the vestry steps in to repair it; so that the traffic is again stopped for the third time, and great expense is incurred. This is no hypothetical case. It is more than borne out by actual facts. I will mention one. The Metropolitan Board had determined to construct a model street—Southwark Street, in St. Saviour's. They had not sufficient powers, and determined to come to Parliament for the purpose. They did so. They proposed to construct a subway in which the pipes of the different water and gas companies might be laid. The Southwark and Vauxhall Water Company appeared before the Parliamentary Committee and fought the Metropolitan Board. The street, however, was made with a fine subway six feet high, and everyone expected that it would be safe from being broken up, and that the gas and water companies would be glad to make use of the subway. However, the street was not long completed before a water company gave notice to the vestry of their intention to break it up; and on being told that a subway was provided for receiving the pipes, they replied, "Oh, while working in the Committee-room we acquired a Parliamentary love of consistency, and, therefore, we cannot make use of the subway which we opposed in Parliament." The company then exerted their rights, and the street, which had been well made with concrete and granite, was, by the aid of powerful levers, broken up and destroyed. This was a difficult operation; for the street also was obdurate in its consistency. The fact is that these water and gas companies ought to be put under some controlling power. They are nothing but monopolies, which it was thought that we years ago had abolished. They each obtain a district, and within that district they supply inferior gas or impure water and charge a high price for it, and tyrannize over us at their pleasure. They are huge monopolies which we have set up to reign over us. If the gas or water they supply be bad, and you apply to the company, they laugh you to scorn, because they know that you can get it nowhere else. I will now refer to another point. St. James' Street, Piccadilly, happens to be partly in one parish and partly in another. Now, when the boundary line goes down the middle of a street the result is not so bad; but sometimes the boundary line goes obliquely across, and then great inconvenience is experienced from the want of concurrent action on the part of the two vestries. In some such cases, also, the boundary line goes unevenly or in a waving line. The consequence under these circumstances is, that when either parish chooses to pave their portion, the traffic of the street is stopped, and then perhaps a few months later the other vestry determine to pave, and the traffic is again stopped, and thus the inconvenience is prolonged. There was a case where a vestry did not choose to finish a new street in Islington, and the consequence was that in a short time there were ruts in it eighteen inches deep. Thus a conflict of authorities occasions a permanent mischief. But other evils of a more ephemeral character often arise. Last January the snow fell so fast one Wednesday night, that in the morning it lay in the streets more than a foot in depth. Next day it was churned by the traffic into a dark unwholesome slush. In going to the Board of Trade on that occasion I had to pass through great puddles, which took me above my ankles. And yet if a man had been employed he could easily have kept the gutters and water-ways open, and the water would have run away. Every omnibus from the west that day discharged its passengers at Regent Circus, and let them plod their weary way to the City. Of cabs there were very few; they drove tandem, and went at a foot's pace. In the night this sludgey ooze froze over; so that in the morning there was a variation of smooth ice, and lumps of frozen snow, like icebergs, very difficult to surmount. The changes between snow and icebergs had an interrupted sway for three days; to the great inconvenience of all cockneys. Yet, by the Metropolitan Local Management Act of 1855 "every vestry shall cause the footpaths to be swept and cleansed;" but that is a duty the vestries never perform; it is therefore requisite that there should be some general board of supervision for the whole metropolis in order to preserve the streets from being in a disgraceful condition, dangerous to passengers on foot, and in carriages, and riders on horseback. In Paris a general board manages all these things, and the consequence is that Paris is always attended to in a proper and efficient manner. Many accidents take place in London from frost, though nothing can be easier than to collect the ashes from the ash-pits in the houses on each side, scatter them over the road, and thus render it safe. I will not enlarge on the architecture of the streets. There is a dull and dirty uniformity, occasionally relieved by a few incongruous elements of individual eccentricity. Neither will I say much with respect to the increased traffic of the streets; because every one is aware that he is liable to be delayed by a huge dray athwart the street, and that when so situated he has no means of beguiling the tedium but by listening to the different forms of imprecation of the drivers. These are, however, matters to which the Government should direct their attention. In 1864 no less than 232 persons were killed by carts, drays, and cabs; so that walking in London is more dangerous than travelling by the Brighton Railway. All this arises from the fact of there being no general ruling authority. It is a Babylonian anarchy which some persons worship as the basis of their liberty, and for which others entertain a maudlin sentiment under the name of local government. The cleansing of our streets by the vestries is most imperfectly performed. Some courts, streets, and lanes in London are mere fever dens, and the Nuisance Removal Acts are entirely ignored. In 1861 there were only 391 cases of typhus in the fever hospitals; in 1862 the number was 2,697, and of the attacked 1,334 died; in 1863 there were 2,112 cases; in 1864 there were 3,610 cases, and in 1865 the number was 3,400. Dr. Horace Jeafferson calculates that there were yearly 16,600 such cases, and that the disease proved fatal in 2,300 cases. This state of things is caused to a great extent by there being no proper authority to put in force the Nuisances Removal Act. And why is this? Because the owners of typhus dens are vestrymen. In St. Pancras this year the medical officer prepared a very able report, in which he pointed out the nests of typhus which existed, and showed how the fever might be checked and cholera warded off. In the midst of reading this report, up jumped a vestryman and moved, as an amendment, that the report be not received. The doctor was called impertinent for bringing such a matter under the notice of the vestry, and in short he got nothing but objurgatory shrieks and vulgar vituperation for his pains. The truth is that the owners of these nests of typhus sat at the vestry board, and they would not join the medical officer in improving these districts. Now this is not self-government; but a want of government — an anarchy and scandal. Where self-government exists, that is, where the people really govern themselves, by all means foster and cherish it. But where the intelligent shrink from the trouble, the industrious hurry off to their money-making pursuits, then this vaunted self-government sinks so low that it falls upon the shoulders of those who feel a little importance in pretending to discharge its functions. The educated avoid it; and we are martyred for a sentiment, and inconvenienced for a social principle of Anglo-Saxon times. My notion is that evils should be removed wherever they are found (whether they are pollutions of rivers or stinks in streets), even at the cost of fine theories. I may be asked what I would propose. I would say, let the Metropolitan Board, or some one board, have an extended jurisdiction over the whole of the metropolis. It would then be an honour to belong to it. The minor boards need not be extinguished, but should be maintained in subjection to the general board to execute mere local duties. All the skilled officers, as they are always badly chosen by mere numbers, should be nominated by the Government. I should also like to see a Minister in the House who should be directly responsible for the good government of the metropolis, and for the supervision of all the municipalities and rivers in England. This, in fact, would be the plan adapted to the metropolis, which I proposed last year for every water-shed in England. I beg to ask the Secretary of State for the Home Department, Whether the Government proposes to legislate on this subject?

SIR GEORGE GREY: Sir, it is quite true, as the noble Lord has stated, that when a Motion was made on this subject last Session I objected to the appointment of a Commission to inquire into the facts, because, as I said, they were notorious, and every one knew the great inconvenience resulting from the multitude of local authorities in London. I did not state that it would be inexpedient to inquire into the best modes of remedying the existing defects. But I stated that my own impression was that it would be desirable to give a more extended jurisdiction to the Metropolitan Board of Works, to enable them to superintend the paving, cleansing, and lighting of streets, not by superseding the existing local bodies, but by exercising a superintendence over them, and seeing that they perform efficiently all those duties which the law casts upon them, and which are now most imperfectly discharged. During the recess I have been in communication with the Metropolitan Board of Works, which appointed a committee to consider this question. The result of the deliberations of that committee has been that they were not prepared to recommend the consolidation of all existing boards and vestries; but that they are favourable to some extension of the appellate or superintending jurisdiction of the Board which already exists in some cases, such as those as to streets where one side was in one and the other in another jurisdiction. With regard to such streets they have already power to interfere and compel unity of action. That power has been exercised, I think, in St. James' Street, to prevent public inconvenience. With regard to streets being torn up by gas companies, I do not think that arises from any defect in London as distinguished from any other place. Any large city or borough may be subjected to the same inconvenience, because the companies obtain from Parliament powers which they exercise in defiance of local authority. I suppose that the same thing may be done in Manchester or Liverpool, although each place is governed by a town council with jurisdiction extending over the whole place. Whatever the local authority may be, if Parliament give power to a company to break up pavements and lay pipes, the local authority must submit to the exercise of powers granted by Parliament. It is very desirable that the attention of Committees of this House should be directed to the matter, so as to prevent them giving powers which may override those of local authorities. The hon. Member for the Tower Hamlets (Mr. Ayrton) has given notice that to-morrow he will move for a Select Committee to inquire into the local government and local taxation of the metropolis; and I hope the House will be disposed to agree to that Motion. I think this matter may be usefully inquired into by that Committee. It is not easy to devise a scheme to put an end to the various jurisdictions of London; but I trust the result of the appointment of a Committee will be that a feasible plan will be proposed for obviating the evils resulting from a multiplicity of jurisdictions.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

SIR JOHN PAKINGTON said, he hoped the noble Lord (Lord Clarence Paget) did not intend to go into the Estimates at that late hour of the evening (twenty minutes past nine o'clock). It was not probable the noble Lord would obtain a vote that night.

LORD CLARENCE PAGET: Sir, in rising to move the consideration of the Navy Estimates for 1866-7, I should have no right, under ordinary circumstances, to claim the indulgence of the Committee, because the performance of the duty for the eighth time ought, ordinarily, to present no great difficulty. To-night, however, I approach the subject under some oppression. First of all, I miss, on both sides of the House, many familiar faces of those who used to take part in these discussions, and thereby render very great service to the navy — Mr. Lindsay, Mr. George Bentinck, Sir Frederick Smith, and many others. I cannot but regret their absence on the present occasion. Another cause of greater oppression and difficulty is, that in past Sessions, when I have had the honour, on the part of the Government, to conduct these debates, I have always had the assistance of the great statesman who is gone from among us. Few in this House and few in the navy appreciated the extent of his knowledge of every detail connected with the navy, and the extraordinary interest he took in everything which had reference to the welfare of the seaman. Under all these circumstances, I am sure the Committee will give me every indulgence. The Estimates for the year 1866-7 are very much changed in many respects, and I am afraid the change will involve hon. Members in some difficulty when they attempt to make a comparison of the Estimates with those for the present year. In accordance with the recommendation of a Committee of this House, the Estimates for 1866-7 are altered as respects the Votes having reference to the dockyards in several particulars. Hitherto the salaries of officers and superintendents have been in one Vote, and the wages of artificers and others in another Vote. The Committee wisely, I think, recommended that the whole expenditure of each dockyard and each victualling yard, and of all other naval establishments should be shown distinctly under the Vote for each. The Committee will, therefore, find that the figures of the Votes are very much changed. For the convenience of hon. Members who may wish to make comparisons, I have added in the appendix the Vote in the old form. The Committee I have alluded to also advised that many items in the Estimates which were under certain Votes should be transferred to other Votes, as being the more appropriate places for them. An instance of the difficulty of comparison which this change will involve is afforded by the Transport Vote, which shows an increase for 1866-7 of £82,208, whereas there is really a decrease of £47,104. I will explain that when I come to it; but my object now is to inform the Committee that, with the best intention to do everything that can be done to make these matters clear, I am afraid there will be some difficulty owing to these changes. Still further, to facilitate the understanding of the Estimates, I have added at the end a table of contents; and I have also inserted two Returns which I have previously placed before the House as single papers. One is a list of ships afloat and building, and the other is a programme of shipbuilding works. I thought it was more convenient that these should be attached to the Navy Estimates than that they should be published separately. The Navy Estimates for 1866-7 amount, in the gross, to £10,388,153. They are the same as the Estimates for the present year, for I will not venture to call a sum of £4,000 a reduction. If anyone, however, were to suppose that the ordinary naval expenditure of the coming year would be equal to that of the present year, he would do a great injustice to the Department, because, in truth, there is a considerable reduction, as I shall show, upon the ordinary expenditure. I will state at once to the Committee how this matter stands. They will remember that for several years past there has been a great and a proper demand that the dockyards should be placed in an efficient state as regards basin accommodation, the provision of additional facilities for the building of armour-ships, and various other purposes connected with the *matériel* of the navy. This House resolved last year that we should put our dockyards in a proper state, and that that should be done, not by mere annual Votes alone, but by a Act of Parliament to empower the Government to enter into contracts for the completion of these great works. The result of that is that, in accordance with the terms of the Dockyard Extensions Act, the Vote for the Dockyards will be increased during the coming year by a sum of £350,000 over the Vote for the present year, and I have to inform the Committee that, so far from my being able to hold out a hope of any reductions in the Vote for New Works, there is a certainty, as I think, during the next three years of a considerable increase. The Votes this year for New Works under the Act of Parliament, amounts to upwards of £800,000, and must during the next three years amount to upwards of £1,000,000. With regard to the other Votes you will find that there is throughout the Estimates a fair reduction in consequence of a certain diminution in the number of men and in the Votes for Stores, the only increase of any importance being in the Vote for the Dockyards. And now, Sir, with regard to the Vote for the *personnel* of the navy. We take this year, as I will presently show, a somewhat smaller force of men, and consequently our Vote for the *personnel* of the navy will be less during the year 1866-7 than it was during the present year. And here, again, I want to call the particular attention of the Committee to what our prospects are in future years. Now, it is all very well to talk of reducing the naval expenditure, but the fact is, that I cannot hold out any hopes of a reduction in that which principally governs the expenditure of the navy —the number of seamen of the fleet. We have carried on during the last two years a gradual reduction of our seamen to what has come to be a very considerable diminution, but if we are to make the naval force which we have afloat adequate to the demands upon it, that reduction cannot go on. I have a paper here which, if hon. Gentlemen wish me to quote from, will show that, so far from there being a prospect of a further diminution of our fleet, we are pressed from all quarters of the globe for additional assistance. We are pressed from China. We are told that the seas there are infested with pirates, and large demands are made upon us for additional forces. In Japan, they tell us that, in order to carry out the treaties which have been made with the Tycoon, we must be prepared to have a large force in the inland sea. In the River Plate, Chili, Peru, the presence of ships is asked for, and let it be remembered that most of all these demands come at the desire of our merchants. In short, such are the calls upon the Admiralty, that I confess I should be deceiving the Committee if I were to hold out a prospect of any further reduction in the number of men. Now, that being the case, let us take a glance over the future expenditure of the navy. Setting aside altogether Public Works, which have no reference to the number of men, and which, when they are completed will, no doubt, cause a great reduction in the expenditure under that Vote; setting aside also all the other Votes—the Non-effective Votes and the Vote for the Transport of Troops, which have nothing to do with the navy—I think it will be seen from a very important paper which I should like to quote to the Committee, and which will be found of very great value, that the expenditure for future years does not appear to afford much hope of reduction unless our forces at sea are to be diminished. Now, the expenditure for the *personnel* of the navy from the year 1855-6 down to the coming year, including everything which is due to that expenditure—that is to say, the pay, the victualling, the medical stores, and various other things—has been set down on one side. On the other side I have put together the Votes for the *matériel* of the navy, which includes dockyards, stores, and, in short, every cost of the ships in which we put the men. If you have so many men you must have so many ships, and if you have so many ships in commission, you must have so many more in reserve, and others to replace them when they are worn out. The Committee will see, therefore, that there is a direct relation between these two classes of Votes, and that they really depend very much on one another. Well, the expenditure on men since the year 1855-6 up to the next year—including these Estimates now before the Committee —the expenditure on the *personnel* is in round numbers £48,000,000, and upon the *matériel* of the navy the figure is nearly £47,000,000. [Sir JOHN PAKINGTON: Since when?] From 1855-6—that is, eleven years—I give you the proportion of the cost of the *personnel* to the *matériel.* It is as forty-eight to forty-seven, or very nearly equal. I will now proceed to show the House what is proposed to be taken for the year 1866-7. We ask you for the coming year for the *personnel* £4,173,550, for the *matériel* we only ask £2,586,653, that is, we are asking for our *matériel* a very much smaller proportion than the average on the eleven years. In 1865-6 we took, in round numbers, £4,500,000 for our *personnel*, and for our *matériel* £3,000,000. I have given this Return, which I think extremely valuable, and which I would honestly recommend to the attention of the hon. Gentleman, because I think it a fair guide to the probable expenditure of future years. I will tell you why we have asked so small a sum for *matériel* during the present and coming year. We have made great exertions during the last five years in constructing armour-plated ships. The fleet may now be said to be in a very fair condition as regards the wants of the country, and it is that which has enabled us gradually to lower these Votes for the *matériel.* It is also because we had a good stock of timber, which we laid in by our providence, instead of our improvidence, as was supposed by some hon. Gentlemen at the time. It was that valuable stock of timber which has enabled us at present to keep the Votes for the *matériel* so low; but I desire to express my deliberate opinion that, unless the force of ships in commission is reduced, this sum will in future years be inadequate to the maintenance of our *matériel*, indeed the Return I have quoted from distinctly points to this result. Votes 1 and 2 are for the pay and victualling of the fleet, and upon them there is an apparent reduction of £172,808 shown at page 5. The real reduction is only £80,000, and the history of this is that we have transferred from Vote No. 1, which is the Vote for the pay of the seamen of the fleet, the whole expenditure upon our Government transports, and transferred it to Vote 17. Hence, although the reduction in the Vote is shown on the Estimates to be £172,000, the real reduction is, as I have said, only £80,000. I now pass to the reductions we propose in the *personnel.* We take 185 officers less, 17 fewer subordinate officers, 12 fewer warrant officers, 486 fewer petty officers and seamen, 50 fewer Coastguards afloat, 600 fewer Marines, and 200 fewer civilians, being a reduction, in all, of 1,550. That is qualified by an increase of 200 added to the Coastguard on shore, and I think it will be satisfactory to those who take interest in these Coastguardmen, to hear that we have now come to an arrangement with the Treasury by which, as far as Government is concerned, the Coastguard forces shall be established at a fixed number, and not, as heretofore, be liable to a yearly fluctuation. We propose now permanently to increase the force by 200 men, and to finally fix the number at that which it will be after making this addition. The result of all this is that we have a reduction of 1,350 in the number of officers, seamen, and marines; so that we shall have during the coming year a total force of 68,400 men, against 69,750 men in the present year. I now come to the ships in commission. If hon. Gentlemen will turn to page 140 they will find there a list of all our ships in commission. The total number of our sea-going ships is 148, of which 12 are armour-plated, or at least that was the number at the commencement of December, since which time we have commissioned another armour-plated ship and paid off a line-of-battle ship. This is exclusive of the Coastguard district vessels. That disposes of Vote No. 1; and, passing over intermediate Votes, I now come to Vote No. 4, which relates to the Naval Reserve. That force, which was established within the last few years, goes on, I am happy to say, increasing. We are now much more careful in selecting the men, and we take none but first-rate seamen. That force now amounts, in round numbers, to about 17,000 drilled men and 200 officers, while the Royal Naval Volunteers amount to about 5,100 men. In the Vote for Dockyards you will find there is an apparent increase of £64,766, but that increase has to be qualified; and the real increase in that Vote as compared with that of the present year is about £35,000. The addition made to it arises in the first place from the fact that we have transferred to it from other Votes the whole of the expense for the superintendence of the dockyards, while we have also been obliged to enter a number of new men for breaking up ships and to substitute at Portsmouth a large number of labourers for convicts. I now pass to Vote 10—the great shipbuilding Vote; and in bringing it under the notice of the Committee I shall try, as I have always done upon these occasions, to avoid matters of mere controversy. I will not here enter into the question of broadsides or turret or box ships, or into any other topic of the kind, but I will confine my observations to a general estimate of the condition of our fleet; and I hope that the Committee will deal this evening with the subject in the same comprehensive spirit, and will reserve the discussion of details for a more fitting opportunity. In the first section of Vote 10, which amounts to £1,003,501, there is an apparent reduction of £131,071, but the real reduction is only £81,071, the discrepancy being due to a transference of the Vote for coals for the Government troop ships. When we come to the second section of Vote 10, which is the Comptroller's Vote, or the Vote for contracts for building ships, we find there is an apparent reduction of £246,700, and that is a real reduction, and one of the solid reductions in the Estimates for the coming year. There is an increase in the Vote for steam engines to the amount of £40,000; but there is a great decrease in the contracts for building ships—a decrease to the amount of not less than £239,000—and here occurs a very interesting subject to which I must shortly advert. That question is the desirability of continuing the present system under which a considerable number of vessels are built for the navy by contractors. That question is so important, and so likely to give rise to discussion, that I would ask hon. Members not to discuss it to-night. I think it is a question to which a separate night may well be devoted. There can be no doubt that there are disadvantages connected with the present system. When a contract is entered into with a private firm, of course the Government must abide by the terms of its contract, and the firm are only bound to do what they originally covenanted. When we give a contract for a vessel which is to be completed at the end of a given time, say of two years, there is no doubt an advantage in such an arrangement, provided we can specify beforehand what is the precise character of the work to be performed. But there is no year in which the state of naval science is not greatly improved as compared with the year preceding. Owing to the rapid advances of naval science, owing to the discoveries which are made almost every day, it is most important that there should be an opportunity for modifying the original design as the building of a vessel proceeds; but we cannot go to a contractor and tell him to change his plates and make other alterations, without incurring a great additional expense; while, if we build our ships in the dockyards, we have the advantage of having the works under our own control, and of effecting in them any changes we may think proper. As long as our ships are built by contract, the Government must abide by its original contract, and cannot expect the contractors to make the alterations in the work necessitated by the constant changes in naval architecture. I do not hope that my opinion will meet with the unanimous assent of the House, but I wished to state what I believed to be disadvantages connected with the present system. With reference to the present condition of our iron-clad fleet, it will be found in full detail in page 146; but for the information of the public, I will now mention that on the 1st of April we shall have afloat thirty armour-plated ships of various classes, and we shall have one only on hand which will not be afloat by that time; so that we shall then have a total of thirty-one armour-plated vessels built or being built. [SIR JOHN PAKINGTON: Are they all sea-going ships?] No, I do not say they are all sea-going ships. There are several that we do not consider sea-going ships, and I shall be able to show hereafter what we think a sea-going ship ought to be. We are going to construct a sea-going cruising turret-ship, to be called the *Monarch*. I do not see the hon. Member for Birkenhead (Mr. Laird) in his place. [An hon. MEMBER: He is very ill.] But our views of the proper size of a sea-going ship and his somewhat differ. After going very carefully into this question, and studying the thickness of the plates, the thickness of the backing, what the height should be out of the water, the speed, and the offensive and defensive power of this ship, we have come to the conclusion that the least tonnage we can give to a two-turreted ship, carrying four guns, is 5,099 tons. [Mr. CORRY: What sized guns?] The turrets are prepared to carry a 22-ton gun, but the ship is a little in advance of the gun, for it is not yet settled whether those guns will be introduced into the service. The Committee are aware that there exists a gun of 22-tons that has been tried at Shoeburyness, and our artillerists think that they can construct guns of that calibre. Whether they will succeed or not I do not know, but we must provide for guns of that weight, and if they fail, we can easily carry guns of a smaller calibre. The thickness of the armour-plating will be seven inches, and there will be two inner skins of three-quarters of an inch each, so that she will have 8½ inches of iron round her battery and water-line, with a backing of 12 inches. She will be of 1,100-horse power, and have an estimated speed of fourteen knots an hour. She will carry four guns in her turrets, and two 100-pounders—one in the bow and one in the stern—behind armour-plated shields. The other ship which is going to be commenced — the frames are already prepared — is the *Hercules*, a sister to the *Bellerophon*. I described this vessel very minutely when the Estimates were before the Committee last year, and I will not further advert to her here. That will make thirty-three armour-plated ships that will be built or in course of construction during the year. The other operations we propose will be found under the head of the "Programme of Works," in page 147. We propose to build two enlarged vessels of the *Amazon* class, not armour-plated, but carrying four heavy guns and having an estimated speed of thirteen knots, and one or two smaller vessels. That will be in addition to two *Amazons* already built, and four that are building, besides one small vessel building with a double screw. The result is that we propose to construct during the coming year, 1866-7, 15,907 tons, or, in round numbers, 16,000 tons of shipping, This is our intention; but shipbuilding is dependent upon accidents, and we are not always able to carry out our full programme. Last year we lost the *Bombay* and other ships, and the result of the various casualties was that instead of carrying out our programme and executing 15,000 tons of shipping we only executed

12,500 tons, owing to the fact that the repairs had been greater than we anticipated. I am sure the Committee will be perfectly aware that although our programme varies in this way, it is wise that these things should be stated to the Committee, even if we do not come quite up to the mark. I have just given our estimate of the constructive power of the Admiralty during the coming year. I will now give the Committee an idea of its destructive power. We are often called upon to get rid of the rows of old ships and hulks that encumber our harbours. Since July, 1859, we have sold, taken to pieces, lost, lent, or given away 320 vessels. No complaint can be made, therefore, of our not destroying them as fast as we can, and there still remain a great number to be dealt with. Sir, I have already said a few words on the subject of Vote 11 of our new works. With regard to Woolwich and Sheerness, in accordance with the feeling of the Committee on Dockyards and the public, we think it unadvisable that there should be any great expenditure upon those yards, because many people look in the end to their being swallowed up and merged in the great establishments. We propose to spend very little on Woolwich, Sheerness, or Deptford. At Chatham very good progress has been made with the extension works. The whole of the sea has been shut out, and we are now ready to deal with the contractors. I shall be obliged to ask for the extension, for three months, of the Admiralty powers in the Dockyard Extension Act, to enable us to defer the contracts until we get the specifications ready; but the director of works reports that there will be no delay, because the interval will enable us to collect the machinery, plant, and *matériel* that is necessary. A small item in these Votes will be brought before the Committee, but it involves a new principle. We want to connect the railways with all the dockyards. There were two ways of doing this; either we must make the branches ourselves, or make some terms with the railway directors with a view to the construction of the branches by them. With the sanction of the Treasury we have agreed to allow the railway companies to make the branches, and we paying them a certain interest upon the capital employed. [An hon. MEMBER: At what rate?] I cannot exactly state. It is not quite settled, but that is the principle on which we intend to go. For the works of Portsmouth we ask £192,000. We are already commencing the new basins; all the legal questions are settled; and we hope, as the item shows, to make considerable progress during the coming year. There is an item in the works at Portsmouth to which I will now advert. Although we have two great armour-plated ships building in that dockyard, still it is a fact that if any disaster of a serious character happened to our armour-plated fleet we have not got the means of very extensive repairs at Portsmouth. Yet Portsmouth is evidently the dockyard at which any extensive repairs would have to be executed. We therefore ask for £18,000 to provide for the repair of armour-ships, including machinery, building, &c. My hon. Friend the Member for Rochester found fault with me for adopting steam-spinning at our dockyards, and complained that it tended to take away the valuable occupation of hand-spinning. I am afraid that my hon. Friend will find fault with me still more this year, for we intend to extend our steam-spinning. We propose to introduce steam-spinning machinery at Devonport, with the intention of abolishing the ropery at Portsmouth, and contenting ourselves with the two steam-spinning establishments at Chatham and Devonport. Sir, the next important item is for the dock at Haulbowline, Cork, and I am happy to inform hon. Gentlemen that that work is progressing. There are a large number of convicts employed upon it, and we trust that in the course of the year 1866-7 the sea will be excluded, and we shall be able to commence the dock with its basin. These are all the great and important works at our home establishments as regards the dockyards. With respect to marine barracks, we have nearly completed a fine set of barracks at Eastney and Chatham. And here I may observe that an important question is arising at the present day in connection with the marines. Great facilities are given to marines who are married to live with their wives and familes. Considerable sums are paid as lodging money to those men who are allowed to reside outside the barracks. Well, Sir, whether some measure may not hereafter be adopted, founded upon the Bill of my hon. Friend the Secretary of the Treasury, or by some other means, to provide cottages and lodgings for our married soldiers, I am not prepared to say. It is a question which ought not to be lost sight of, because it is a very costly system to give our married marines lodging money, and the purlieus of the barracks are not fit places for them to live in. I believe that sooner or later something will have to be done to provide a certain portion of our married marines, and, indeed, our married sailors who happen to be in port, with quarters. I turn next to Malta, and here I am glad to say that all the disputes with the Maltese authorities have vanished, and that those authorities are giving us cordial assistance. So well, indeed, have they and the contractors also behaved that we may expect by the end of next June—a year before the time fixed—to have that fine artificial harbour completed for the merchant service, and the French Creek will be given up to us. The dock in the French Creek is progressing satisfactorily; about one-third of the excavations has been done; the nature of the rock promises well; and I am informed by the directors of the works that unless some difficulties that cannot be foreseen arise that dock will be finished in two years. The only further work connected with this Vote relates to the proposed dock at Bermuda. We propose to construct a great iron floating dock, and there have been various plans before us for the execution of this work. One of these is quite of a novel and ingenious character. I do not venture to describe it, but I intend to lay a model of it in the Library, that hon. Members may see it for themselves. The plan, although it is one of a hydraulic first-class dock, dispenses almost altogether with any steam machinery; and, what is still more remarkable, the inventor proposes to build it here and to go out in it. The only other Vote I need notice is No. 17, for transports. Here there is an apparent increase of £82,208 in comparison with the Vote of last year; but in reality the amount is lower by £47,104 than that of last year, because there has been a transfer from other Votes of £129,312 for wages, victuals, coals, &c., which are now brought under the head of "transport." I have necessarily passed over the Estimates very lightly, for it would make a very long story were I to advert to all the items; but I think I have not neglected to place before the Committee all the important points. I have now only to make a few general observations on the condition of the fleet, which I have always found to be a matter of interest to the House, and to which on the present occasion it affords me special pleasure to refer. I regret to say that during the last few years the flow of promotion among the combatant officers in the navy has not been satisfactory. I am bound to give my right hon. Friend the Member for Droitwich (Sir John Pakington) credit for always having desired to carry the retirements of officers further, with a view to create a better flow of promotion from the junior to the higher grades of the service. I, for one, should always have been very glad to do the same thing, but his scheme would have been a very expensive operation; while the scheme which in a few days I hope to lay on the table, and which will, so to speak, be a self-acting measure, will, I believe, produce that fair and proper current of promotion in the navy which is necessary, without very great cost. Although the scheme is almost entirely complete, I do not think it would be right on the present occasion to enter into any of its details; and, therefore, I now only mention the fact that I hope in a very short time to propose to the House a measure which has received great attention, and the object of which is to give a better flow of promotion from the junior to the higher grades of the service. There is another valuable and important class of officers in the navy, though one not included in its combatant sections. I speak of the medical officers, whose professional services being much sought after and far better remunerated in private practice than in the navy, it has become absolutely necessary that better prospects should be held out to attract them to that service. The Duke of Somerset, therefore, called together during the autumn a committee, which was presided over by Sir Alexander Milne, a distinguished admiral, and on which officers of the army and navy were placed, together with two eminent medical men, the one a member of the College of Physicians and the other a member of the College of Surgeons. Both of those bodies have also given us their most cordial assistance with a view to put the medical officers of the navy in such an improved position as that, while no unreasonable demand shall be made on the public, greater inducements than heretofore shall be offered to tempt them to make the navy the field for the exercise of their profession. Sir, a scheme founded on their recommendations will be laid before the House. There are some proposals with regard to Greenwich Hospital pensions to which I need not now advert, as they will have to be brought in as a separate measure. A few days ago I placed on the table certain statistical Returns having reference to the general condition of the navy. Some of those Returns, unfortunately, are not quite finished, but there is one from which, although the actual Report is not yet out, the Committee will, perhaps, permit me to read a brief extract. It is the Report, made up to the end of the year 1864, on the discipline, crime, and punishments of the navy, and it states—

> "The report on crime and punishment in the navy, made up to the end of the year 1864, will show the satisfactory state of the discipline and condition of the fleet. The convictions are fewer than in the year preceding. There have been fewer cases of drunkenness, theft, and gross acts of insubordination; and even the offence of being absent without leave has very much declined, although the amount of leave given has been greater than at any former period. The number of persons discharged with disgrace or as objectionable was only 200 in 1864, against 530 in 1863. In 1864, 577 men and boys were corporally punished against 1,012 in 1862, and 752 in 1863. The proportions are as follows:—In 1862 one in every 54 persons; in 1863 one in 66; and in 1864 one in 84. On the home station, including the Channel Squadron and the Coastguard ships, the proportion, irrespective of boys, is only one to about every 600 men. Imprisonments have declined, so also have the other major punishments, such as disrating, deprivation of good conduct badges, reduction to the second class for conduct, and so forth. If any further proof be required of the improved and improving conduct of the men of the fleet, that proof is afforded in the statistics of courts martial, where we find the remarkable fact recorded that the convictions in those courts have fallen from 140 in 1863, to 97 in 1864. The desertions are decreased from 5 per cent in 1862 to 2½ per cent in 1865."

Everybody, I am sure, will listen to the indications of improvements such as those spoken of in the Report with great pleasure. For the first time, I have been collecting statistics concerning education in the navy, and I am sure Members will be surprised on learning the progress it has made among all classes and all ranks. In the same Return the religious denomination to which the men belong is indicated. There is one thing they lack, although it is supplied to every other class of people in the country, and it is the savings bank. In this direction much may be done. If we can induce men to become frugal, and invest their money in savings banks, which, in my opinion, ought to be introduced on board our ships, they would be more likely to resist the temptation to go ashore, get drunk, and get into trouble. If we can once tempt the fleet to these habits of frugality we shall have done much to improve its morality. Were the men to have an easy opportunity of investing their savings, I have no doubt much money now squandered would be put by, and the morality of the navy greatly promoted. Military men will correct me if I am wrong when I state that every regiment has its savings bank — an institution which has done much in improving the character of the army. Hitherto we have failed in this respect to do for the navy what has been done for the army; but I do trust that this matter will not be allowed to drop until something satisfactory has been accomplished, for I am perfectly convinced that all we desire can be carried out. The project, I have no doubt, will be attended with expense, because we have not the requisite machinery in our ships. I must say that while my right hon. Friend the Chancellor of the Exchequer has provided such banks in almost every little village in the country, it does seem very hard that sailors in particular are to be debarred from investing their money and receiving a dividend for it on board their own ship. It is true we allow them to send their money home to their friends, but they should be able at any time to place their money in the bank themselves, and themselves receive the dividends. I sincerely hope that the measure I now suggest will be carried out, whoever may occupy the position I now hold. Last year I stated that it was requisite that a corps of artificers of the fleet should be organized. We are now establishing a school-ship. In every other respect, I think, the fleet is thoroughly organized. When we get a proper class of artificers on board our ships we shall be ready to go into action whenever required. When we reflect what these ships are, and the delicacy of the manufacture of much that is on board ship; when we consider that not only the engines but the guns (with respect to which we are introducing new mechanical appliances) come within the province of the artificers, it is necessary that they should be a properly organized body. These, Mr. Dodson, are the general observations I have to make to the Committee in connection with the Navy Estimates, and from which, I think, it will be seen that our fleet is keeping up its position, and is ready for any service that may be required of it. I have only passed lightly over the various branches of the Estimates, and would recommend the Committee to defer any lengthened and detailed observations, particularly any controversy with respect to the construction of ships, until we arrive at the particular Vote relating to them. I thank the Committee for the attention with which it has listened to me. The noble Lord concluded by moving the first Resolution.

Motion made, and Question proposed,

"That 68,400 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1867, including 16,400 Royal Marines."

SIR JOHN PAKINGTON: Sir, my noble Friend commenced his address by referring to the number of years in succession in which he has brought the annual statement touching the navy before the House. He has uniformly made that statement with so much frankness and fairness that it really always became a very unpleasant duty to enter into any part of it in which a difference of opinion would arise. I am therefore rejoiced that, at all events in one very important portion of those Estimates, the first, I think, to which my noble Friend referred, I am enabled to state most cordially my concurrence in the course which the Government has adopted. Looking at the magnitude of the sum for which Parliament is asked, the reduction is so trifling that, as my noble Friend stated, the Estimates must be considered the same as they were last year. The saving made is to be found in the Votes for the men and shipbuilding, and the first part of my noble Friend's statement was devoted to the explanation of the circumstance that, while this saving had been effected, the general amount of the Estimates remains the same. This is explained by the fact that there has been a great increase in our dock accommodation. The total expenditure in this respect has been no less than £1,500,000 for Portsmouth, and I think very little less for Chatham. New Members may not be aware that this part of the Estimates is the result of the deliberation of a Committee of the House of Commons appointed the year before last to consider the amount of dock accommodation at Portsmouth. The result of the inquiries of that Committee was that the whole of our system of shipbuilding, having been in a state of transition, rendered it imperatively necessary for the public service that the great increase in the size of our ships should be met by a proportionate increase in dock accommodation for the care of them. This is the true explanation of this matter; and feeling, as I do, the imperative necessity for providing that additional dock accommodation, I am very glad that the Admiralty has introduced these items into the Estimates, which I, for one, will most cordially support. My only doubt with regard to this item for the increase of our docks is, whether or not the expenditure might not be judiciously incurred in a shorter period of time. The cost of the works at Portsmouth and Chatham is to spread over a period of not less than six or seven years. [Lord CLARENCE PAGET: The most essential parts will be completed in four years.] I cannot help thinking that these works might have been carried out more economically if they had been carried out in a shorter space of time; but this is a point of detail with regard to which my noble Friend may perhaps give a satisfactory explanation hereafter. Another item which the noble Lord has not referred to, but which I am glad to see in the Estimates, is £50,000 for the establishment of a dock at Bermuda, as there is no part of Her Majesty's dominions where the establishment of a dock is more necessary. I am aware of the great difficulties in connection with the locality from the nature of the rock on which Bermuda stands; and, therefore, I believe the Government has adopted a very wise and prudent course in deciding to carry out the intimation which my noble Friend gave us last year, to the effect that the Government would endeavour to overcome the practical difficulties of the case by establishing a floating dock. Here, again—though I cannot pretend to judge of a matter of detail of this kind—I am disposed to think that it would have been better, when £250,000 is to be spent in making the dock, if the Government had proceeded somewhat more rapidly, and taken a larger sum this year than £50,000. My noble Friend next made a statement respecting the average expenditure of the navy during a series of years, showing that during that series of years the expenditure for the *personnel* and *matériel* of the navy had been nearly the same, and that in the present year the expenditure for shipbuilding was much less, as compared with the expenditure for the men, than it had been in former years. But I think it is more important for this House to take into consideration whether or not the amount to be voted for the building of our ships is wisely and judiciously expended; and, in reference to this, I am obliged to say that the statement of my noble Friend is not so satisfactory as I had hoped it would be, nor so satisfactory as he led us to expect when he made a similar statement last year. In the first place, I wish to make a few remarks on the question of turret-ships. My noble Friend said he would not on the present occasion enter into any comparison between turret or broad-sided ships, but I cannot help thinking that at this moment, when the general statement of the Department is made, and the House of Commons is invited to incur an enormous expenditure to support and keep up the strength of the navy of the country, the natural and proper course is to enter into a full statement of questions of this sort. My noble Friend himself adopted this course last year, and therefore I was surprised to hear him say that this was not the moment to discuss that point, and that we must wait till we came to that particular Vote. On the contrary, I wanted him to go fully and clearly into this important subject. I think, moreover, that on this most interesting and important question the statement of the noble Lord has not been so satisfactory as I had hoped to hear. I do not want to involve the House in controversial matters more than is necessary; but, after the statement made by my noble Friend, I cannot altogether forego the right I have to say that that statement has not been so satisfactory as I had hoped he would make. Will the Committee allow me to remind them of what fell from the noble Lord last year on the subject of turret-ships? He said—

> "The first proposal we have to make is that, if possible, we should endeavour to construct a ship upon the turret principle which shall be a real sea-going vessel."—[3 *Hansard*, clxxvii. 1158.]

How has that promise been fulfilled? During the past year has the Admiralty taken any steps whatever in building a sea-going turret-ship? I have not heard of the commencement of any such vessel; indeed, my noble Friend now makes exactly the same promise which he made a year ago. I am extremely surprised to hear that this projected ship is to be a vessel of upwards of 5,000 tons; for are we to understand that no sea-going turret-ship can be constructed with less tonnage? I am very sorry that my hon. Friend the Member for Birkenhead (Mr. Laird) is prevented by illness from being in his place this evening, because he would probably have been able to give us particulars respecting a sea-going turret-ship which he built last year. That vessel, which was of 1,100 tons only, made a long voyage in bad weather, and proved herself possessed of every quality requisite for a sea-going ship. I cannot give particulars, but my hon. Friend would have confirmed what I state. I wish to ask the noble Lord why so much delay has occurred, and how it happens now that we are a second time promised a sea-going turret-ship, that it is to be a vessel of 5,000 tons? Above all, I desire to know who is to design that ship, and who is to be responsible for its construction? I think the conduct of the Admiralty, in regard to this most interesting question, has not been satisfactory. Captain Cowper Coles is the originator of this plan, and the Admiralty long ago acknowledged that that gentleman's invention was one well worth trying as an experiment. Now, I think no one will deny that if an experiment relating to a great national question of this kind is worth making at all it ought to be made fairly and promptly. In my opinion, however, the Admiralty have not tried Captain Cowper Coles' plan either fairly or promptly. They began by cutting down a three-decker, the *Royal Sovereign*, and converting her into a vessel which, in the event of a war, may, indeed, be found useful for the protection of our own coasts, but which is not, in any respects, the kind of ship which Captain Cowper Coles from the first designed. The Admiralty have evaded the request of Captain Cowper Coles that his experiment might be fairly tried, and, besides that, it is notorious that the present Chief Constructor of the Navy, Mr. Reed, has himself adopted a rival system. I wish to put it to my noble Friend whether, during the course of the year, the Admiralty have not allowed the inventor of this rival system to have all the advantages of official support and protection, while Captain Cowper Coles' proposal for a sea-going turret-ship has never up to this hour been fairly tried, notwithstanding the admission that it was worthy of such a trial? I have, I think, a right to ask, and the House has a right to ask, these questions, when we are told that the Admiralty are going to build a ship unnecessarily and unwisely large, incurring thereby an enormous expense, while it would have been far better to test the qualities of the system as to its sea-going powers by means of a much smaller and less expensive vessel. But, after all, what is this ship to be? Is it to be built under the guidance and according to the plan of Captain Cowper Coles, or on the plan of Mr. Reed, who, it is known, favours the rival system? We have a right to expect a frank and open statement as to the course the Admiralty will take on that point. I wish now to call the attention of the Committee and of my noble Friend to another subject which he introduced into his statement last year, and which he has again touched upon, though very lightly, this evening. Last year he said, somewhat to the surprise of the Committee, that at that time when so much attention had been given to armour-plated ships, the Admiralty had decided to build a class of ships which should be not armour-plated, but wooden ships, which my noble Friend described as *Alabamas.* [Lord CLARENCE PAGET: They are the *Amazons.*] The noble Lord said—

> "Our further operations in the dockyards will be the building of four swift ships, not armour-plated, but trusting wholly to their speed and armament—vessels which I may describe by a name familiar to everybody as an improved class of *Alabamas.* There are three of these vessels now under construction, and we propose to construct four more of them, making seven. They are entirely intended for the protection of our commerce. They will all be built of wood, and very much of the character of the famous *Alabama.*"—[3 *Hansard,* clxxvii. 1158.]

The Committee made no objection to this plan of the Admiralty; but I think I am speaking the opinion of every hon. Member who remembers the circumstance when I say that the Committee acceded to the plan only on this understanding—that, as the vessels were not to be armour-plated but wooden, they should be vessels of the greatest speed. Indeed, as they were to be built for the protection of our commerce, they would be of very little use if they were not of great speed. Well, the *Amazon* was the first of these ships; and I understand—of course I speak under correction—that, in point of speed, she is a complete failure. I am informed that the greatest speed which can be got out of her is 12½ knots an hour. Is that such a rate of speed as my noble Friend contemplated? Why, the *Agincourt* goes at the rate of 15½ knots an hour. In case of war one of those new vessels would not be able to cope with the fast sailing ships which would be then on the seas, though to be of value she should excel them all; and, of course, if they came in contact with an iron-clad they could not stand against her for a moment. How are they valuable if they do not bear out the promise made by my noble Friend last year, that they would be built for swiftness. I am sorry to be finding fault, but I must say a word as to one of our armour-clad vessels. I allude to the *Pallas,* which is constructed on such principles that she has no speed. She drives each wave before her, and so makes it impossible that she can get through the water at a high rate. So defective is the construction of her bows that she fails in that important element which is now the first requisite of a man-of-war. I fear that these mishaps may be attributable to the fact that the Government have allowed themselves to lose the shipbuilding talent which they once possessed. I see opposite me my hon. Friend the Member for Tavistock (Mr. Samuda), and I am glad that a gentleman so eminent in shipbuilding has now a seat in this House, and will be able to join in these interesting discussions on the navy. If I am correctly informed my hon. Friend is now paying a large and handsome salary to Mr. Oliver Laing, one of the most eminent shipbuilders in Europe, who, through the injudicious course adopted by the Admiralty, has been driven from the public service of the country; and I am very much afraid it is owing to that injudicious course we find these failures in the new ships. Year after year Parliament, with unbounded liberality, is ready to vote any sum which the representative of the Admiralty in this House tells us is necessary for the maintenance of the naval power of this country. Only one condition is made on the part of this House—that the money shall be beneficially expended—that we shall have the best ships which can be procured. This being so it is most unfortunate and vexatious that we should find these striking instances of want of success on the part of the Admiralty in providing the country with ships such as it has a right to expect. I thought I should not find it necessary to trouble the Committee with any further remarks on this stage of the Estimates; but there is one point in the Estimates which I would like my noble Friend to explain. The amount involved is not a very large one, but it is an item which has an important bearing on the future welfare of the navy. I mean the great reduction in the Vote for the Schools of Naval Architecture. [Lord CLARENCE PAGET: They are in the Civil Service Estimates.] I hope the Admiralty have not relaxed in their efforts in regard to these schools, and that reduction is caused by a mere transfer of change. [Lord CLARENCE PAGET: That is all.] There is only one other part of the speech of my noble Friend to which I think it necessary to allude. I mean the concluding portion, in which he intimated the intention of the Admiralty to establish a new system of retirement for officers, and also, as a result of the recommendation of the Committee, to improve the position of the medical officers of the navy. I did not understand him to say whether the Committee sitting on the subject had made their Report; but I shall be glad to find the noble Lord coming down to Parliament and proposing some change in the position of these officers, for it was a matter of great regret to me that one of the first acts of the Admiralty was to reverse the changes which I had made for the benefit of the medical officers of the navy. The result has been that this branch of the naval service is left in a most unsatisfactory position. It is not to be wondered at, therefore, that, during the last few years, a difficulty has been experienced in getting students to enter the service; and I am glad that the Admiralty appear to think it necessary to retrace their steps. It is satisfactory, also, to learn that it is their intention to propose a system of retirement that will be self-acting. Whether it is to be founded on the principle of age the noble Lord has not told us, but I hope it will lead to a regular flow of promotion in the navy, and that the service may be freed from the disadvantage—I may say the discredit—which attaches to the periodical stagnation which now takes place on the promotion of officers. I reserve for a future occasion any further observations it may be necessary I should address to the House.

Mr. SAMUDA said, he could not help thinking that in examining the Estimates a practical result could not be arrived at if hon. Members did not look at those Estimates in connection with the general state of the fleet. In regarding the figures then before them, it must occur to every one that they were asked to agree to Estimates which provided, or purported to provide, an addition to our navy to only a very small extent. It appeared to him, if he understood the figures, that two armour-clad vessels only were intended to be added to the navy, and that the construction of these was to extend over two years, which would give only one iron-clad ship for this financial year. To ascertain whether this was sufficient to satisfy the wants of the public he would review, as briefly as possible, the vessels we now had of that class. It would be in the recollection of the Committee that in 1859 the necessity of reconstructing the navy was admitted, and that reconstruction commenced. It was intended to substitute for the old wooden unprotected hulls, hulls protected by thick armour-plates. When the reconstruction commenced four vessels were laid down — the *Warrior*, the *Black Prince*, the *Defence* and the *Resistance*. It had been understood that these were to be armour-protected vessels; but, in truth and in fact, they were anything but protected with armour. Their protection was extremely limited, being confined to a small portion of the middle of the ship. Fore and aft there was no armour, so that two-thirds of the whole vessel were completely unprotected. This being so one of these vessels would be destroyed by a ship completely protected if the latter could bring artillery to bear against her. Following these four vessels came three others, on which the protection was further extended, but which still maintain the same character of being only partially protected. Now, all the time we were progressing with these imperfectly covered vessels our neighbours were engaged in constructing a fleet of ships wholly protected by armour; and so actively had they proceeded that the Admiralty took alarm and came down to this House and obtained permission to construct five vessels in their own dockyards. These were to be wooden ships, armour-coated, so as to restore the balance of our naval force. The result was that four out of five vessels of the *Royal Oak* class were built in the dockyards, and being covered from head to stern with armour-plates were not liable to the objection which he had made with reference to the previous seven—namely, of being only partially armoured, though it was admitted that these wooden hulls could only be looked upon as a temporary, not a permanent addition to the fleet. To the mistaken policy on which the Admiralty were founding their operations he had always entertained very great objections, which he lost no opportunity in making known to the Admiralty, and as far as he could to all scientific assemblies, believing that every one was bound to do all he possibly could to rectify so serious an error, and he urged upon the Admiralty the advisability, and pointed out the course by adopting which they would be able to give perfect protection. The next and most important change which took place in the building operations conducted by the Admiralty consisted in the abandonment of their plan of building partially covered vessels and the laying down of three vessels of the *Agincourt* class, wholly protected from stem to stern. They also took in hand the two turret-ships they now possessed—the *Royal Sovereign* and the *Prince Albert.* To him this change was particularly satisfactory, because it adopted that system of entire protection which he conceived to be absolutely necessary ; and the Admiralty having arrived at the decision by slow gradations, he had hoped that under no circumstances would they depart from it. In the *Agincourt* the public saw not only a very fine vessel, but that the entire covering of a vessel with armour was not inconsistent with the highest rate of speed, for the *Agincourt* was beyond all doubt the fastest vessel in our own or any other navy. But the importance of these results were in his mind inferior to the influence that the working of the *Royal Sovereign* turret-ship ought to exert in determining the future policy when adding to the navy. This vessel, though altered under considerable disadvantage, had shown a capability as to mounting and working guns and of maintaining herself at sea which he believed the Admiralty had never contemplated, and which in any event must be highly satisfactory to those who had watched her career. He was very sorry that the same opportunity of trial had not yet been afforded in the case of the second turret-ship, which, being constructed on their own design and of iron instead of wood, was intended by the Admiralty to be, and he had no doubt would prove in fact, an improvement upon the *Royal Sovereign.* That vessel had now been out of the hands of the contractors more than twelve months, and if up to the present moment it had been tried, he fancied it could only have been partially, and that within the last two or three days. Therefore, viewing the subject from this point of view, we had at this period arrived at the important knowledge that wholly protected ships were capable of being constructed to attain great results in speed, while they practically offered the resistance to shot throughout that was the main object to be attained by the re-construction of the navy, and that cupola-ships were not only capable of carrying the full protection of armour, but of carrying and fighting their guns in a superior manner to anything that our previous knowledge had enabled us to do. After the great success which had attended the Admiralty's change of policy in building vessels wholly instead of partially protected, he was particularly grieved to find that suddenly, at this stage of the proceedings, they ignored all that went before, and, going back to the point from which they started, set to work again to build the vessels of their first love, those partially covered with armour. From that time to the present they had persisted in this disastrous policy, the only two exceptions being wooden vessels, admitted frankly to be merely of a temporary character, and not to be looked on as permanent additions to the fleet. The result of all these details, which he apologized to the House for troubling them with, was that, at the present moment, if unfortunately we were called on to meet the armour-clad navy of any foreign State, we had but ten efficient and well-protected vessels to take their places in the first line of battle. Ten other vessels, which he should denominate of the second amount of resistance, were capable, no doubt, of offensive operations against vessels wholly unarmoured ; but acting against vessels protected by armour, they would be placed at such a disadvantage that even if they were not sunk by the fire of their adversaries their two ends would be so beaten to pieces as to render the vessel wholly unmanageable, and an easy prey to an inferior force. The ten remaining vessels, making up the thirty which had been alluded to, were all small craft coming within the same category except the two small turret-ships. The question was worthy of consideration—were ten effective ships a sufficient protection for this country, upon which it was wise, safe, and prudent to rely ? His own view of the matter was that if we had twenty, instead of ten, effective ships, we should still be short of the position which this country ought to occupy. We should then only have an equal number to that possessed by one country. His impression had been formed by taking a comparative view of our own strength compared with that of other first-class naval Powers. In France twenty such ships were furnished up to the close of last year. If, therefore, the vessels we possessed were insufficient for the service of the country, what were the best descriptions of vessels with which to improve our position ? Clearly, he imagined, they were not the partially-protected vessels. From the evidence which had been obtained, the best description of ships, he thought, would be turret-ships, and of them an addition of six would not be by any means too large a quantity. Those vessels would take two years to build, and consequently the addition to the navy would only be at the rate of three per annum. Viewed, however, in the light in which the noble Lord had put it, the addition to the navy of these turret-ships would be a more serious matter than he was disposed to believe necessary. He was disposed to believe that the size suggested by the Admiralty as proper for a sea-going turret-ship was vastly too large, and if, as the noble Lord had intimated, the hon. Member for Birkenhead (Mr. Laird) likewise differed from the view entertained in official quarters, the opinion which he had ventured to express was powerfully confirmed. He had gone very carefully into this matter; and without troubling the House with the details, the conclusion which he had arrived at was that vessels of about 3,500 tons might be constructed to carry the heaviest artillery known, or contemplated at the present moment, in two cupolas, and could be made to attain a speed equal to that attained by any vessel afloat in the navy, and that for a sum of about £280,000, which would include their machinery. He should not ask the Committee to accept his statement without due investigation, but he would ask them to receive with some hesitation the statement of the noble Lord to the effect that no less than 5,100 tons would answer. He had no wish, he might add, to interfere with the Admiralty in carrying out the details of the work which might be determined on for the service of the country, but he thought it was within the scope of their duty for this House to decide on the general policy. The Chancellor of the Exchequer would, he thought, do well to agree to the appointment of a Committee to investigate the question whether vessels of such a class as he had indicated were practicable, and could be rendered beneficial to the public service. If a Committee should so report, then the House of Commons ought to be prepared to act upon their recommendation, and instruction might be given to the Admiralty pointing out the general basis of construction on which they were to proceed. The Admiralty would then carry out the details, and the responsibility proper to the Department would rest with it.

Mr. H. BAILLIE said, that while the Secretary to the Admiralty had informed the Committee that a reduction had been effected in the Naval Service of the country, he had not been able to show that there had been any corresponding diminution in the Navy Estimates. That state of things he had explained by saying that it had been found necessary to build large docks for the accommodation of those monster iron-clad ships which it had of late years been the fashion to build. The enormous expenditure of the Naval Department for some years back was occasioned by the supposed necessity for building these monsters. The system of constructing such vessels had, as the Committee was aware, been commenced by his right hon. Friend the Member for Droitwich (Sir John Pakington), under whose auspices the *Warrior*, which cost little less than half a million, was laid down. Then followed the *Black Prince*, a similar ship, the *Achilles*, and what, he would ask, was the reason given for building these large vessels? It was said that the constructors in our dockyards were of opinion that it was impossible to obtain a sufficient amount of speed from iron-clad ships, unless they were built of increased size; but had the Admiralty, he should like to know, ever taken the trouble to ascertain by experiment whether that was or was not the case? The Admiralty, on the contrary, had shown itself most obstinate in the matter. They had refused to make that experiment, and had even declined to try the invention of Captain Coles. What had been the result? That that invention had been carried out by a private firm. The Committee had been informed that Mr. Laird, of Birkenhead, had turned out a perfect sea-going turret-ship called the *Vesta*, on the principle of Captain Coles, which, although she was only 1,100 tons, was as efficient as the *Warrior*, and had made 12½ knots an hour. She had been out in the recent severe gales, and had behaved admirably. She was, in fact, in all respects, a thoroughly good sea-going ship, and carried in her turrets 300-pounders or 12-inch guns. Her turrets were covered with 10-inch iron; her sides with 6-inch in the centre, and she was clad with iron from stem to stern. Now, such was the result of Captain Coles' principle tried by a private firm, and he could not help thinking that if it had been taken up by the Admiralty, and had proved successful, millions of money would have been saved to the country. He would, under these circumstances, appeal to the Chancellor of the Exchequer, who, everyone was prepared to admit, desired to economize the public revenue, to say whether he would not agree to the proposal of the hon. Gentleman who last spoke, to appoint a Committee to inquire into the principle on which our ships had been or ought to be built. The noble Lord the Secretary of the Admiralty had not, he might add, adverted in the course of his speech to the question of guns, except by saying that there was some project to construct a gun of 20 tons. He would, however, perhaps inform the Committee what guns our ships had at the present moment. The Committee had heard something of 12-ton guns, but he should like to know whether they were rifled or smooth-bores. [Lord CLARENCE PAGET: Rifled.] Well, then, what was the principle of rifling? Was it that which was called the New Woolwich, which he believed was an adaptation of the French system?

ADMIRAL WALCOTT said, he congratulated his noble Friend the Secretary to the Admiralty on the lucid and comprehensive manner in which he had submitted the Estimates to the consideration of the Committee. He must at the same time observe that in his opinion we had gone on incurring heavy expenditure in the construction of our iron-clad vessels, without being perfectly convinced of the soundness of the principle on which we had proceeded. It was a question open to serious discussion, whether we had adopted a politic course in building these stupendous vessels, and whether a smaller class of vessels might not be more useful and more readily handled. He would urge upon the Government, looking at the rapid strides of science, and the efforts of other Powers to strengthen their navies, to take timely forethought and save expense, so far as that could be done consistently with the national honour. Hitherto the country had gone on incurring expense without satisfaction to themselves or to the public. The vessel of 4,000 tons burden as proposed by Captain Coles had all the advantages which were claimed for the enormous vessels which they had been building. He was of opinion that vessels of much smaller burden would be found more efficient for the public service than vessels of so large a size, costing so large a sum, and which, in the event of war becoming crippled, we should not have the means of docking and repairing. It was to be stated to the honour of the country, that it had never been backward in responding to any call which it was found necessary to make, in order to preserve the efficiency of the navy. The country had demanded nothing more in return than a rigid supervision of the accounts, and a responsible administration in every department connected with the naval service. Had they always remembered that, and acted in accordance with it, their fleet would have been immeasurably superior to what it was. It had been said that they had not ten of the larger class of iron-clad ships fit for service. He would not contradict the assertion, but was inclined to believe there were more. It was of the first importance that we should possess a perfect knowledge of the rate of speed of our ships. He had moved for a Return on the subject, and the Admiralty had readily granted his request. The French were most scrupulous in their efforts to secure for their ships a commensurate rate of sailing. He believed that we had only three ships that were capable of attaining the same rate of speed. He would repeat for the benefit of new Members the incident of Nelson's pursuit of the French to the West Indies. It was a well-known fact that he was obliged to wait upon the high seas upon several occasions, that the British ships in his rear might overtake him, and the consequence was that the French in the end evaded him. This showed how desirable it was that ships should be built of equal speed. The commerce of England was world-wide; it was not to be expected that her political relations would always remain as at present; it was uncertain how long peace would prevail. The class of vessels which he should wish to see built, and to which immediate attention ought to be given, were those of 1,100 tons. Such a fleet would be able to scour the seas, and give protection to our commerce. He felt deeply the honour of his profession, and he should rejoice at seeing it connected with a class of ships capable of maintaining the honour and independence of the country, and of warding off the evils that threatened us.

ADMIRAL ERSKINE said, that practical seamen appeared to agree that great speed was not compatible with heavy weight unless there were a great displacement. In confirmation of this he could appeal to the hon. Member for Birkenhead (Mr. Laird). Two of his ships, the *Wyvern* and the *Scorpion*, were of 1,800 tons burden, with 350 lb. per square foot. Their speed was only 10½ knots an hour. He did not believe with such an arrangement they could possibly get a greater speed. The fact was, that a two-turreted ship, built with 9-inch plates and mounted with guns to match, could not be made to attain anything like the desired speed unless they were made, as the noble Lord the Secretary of the Admiralty had expressed it, of 5,000 tons. He would, in conclusion, express his concurrence with the hon. and gallant Member who had insisted upon the necessity of having ships of equal speed.

ADMIRAL SEYMOUR said, he was surprised at one omission in the noble Lord's speech. He alluded to the report with respect to the Masters—namely, that the Admiralty proposed to do away with that valuable class of the Royal Navy, and had already stopped the entry of Masters' assistants. It was an important and, in his opinion, an ill-advised change, for he could bear testimony to the efficiency of the Masters. He did not desire to remove responsibility from the captains of men-of-war; but he was of opinion that they should have such assistance as the Masters had hitherto afforded them. If the proposed change were carried out the duty formerly discharged by the Master would fall upon the lieutenants, who in their young days were not so educated as to enable them to give the needful assistance to the captain. They had had no opportunities of obtaining a knowledge of pilotage and surveying, being occupied with the duties of the ship, and preparations for their examination in mathematics, gunnery, steam, and the amount of navigation necessary to work what is called a college sheet. The attention of the navigating officer should be constantly directed to practical nautical surveying to charts, currents, bearings, &c. It would take a lieutenant a long time to acquire sufficient knowledge, after he had been made a lieutenant, to perform the duties of the Master; and every one could understand how important those duties would become in time of war. The occurrences in the Baltic during the late war might be cited as instances in proof that the present system worked well. It was said the French did without Masters, but their system of promotion was the exact opposite of the English plan. The junior members of the French navy were promoted by seniority, the older members by selection, and he was assured that during the action of the combined fleets in the Baltic almost all the soundings were taken by the English. The Masters had also the charge of stores, which could only have the general supervision of the captain, and if the superintendence of stores was taken out of the present experienced hands, he was afraid the expenditure for stores would greatly increase. They were also a valuable body of men from their knowledge of the Channel pilotage, and if our iron fleets were to be relied on as a means of home defence it would be very imprudent to get rid of a body of men who had made it their study, and especially at a time when the effect of our recent legislation had been not to increase our Channel pilots at all commensurate with the increase of our commerce. It was impossible to do with fewer officers on board our ships than we had at present, and if they amalgamated the Masters with other branches of the service they would have to increase the lieutenants by 356, the number of the Masters which would be given up—an addition of upwards of 300 discontented men, because promotion thereby would be much slower than at present, as there would not be a single more ship to command. There would be no injustice done to the Masters by not promoting them to higher ranks, because they entered the service on the understanding that they were not to be promoted except under special circumstances. Besides that the Masters' assistants were allowed considerably more pay at the time they entered the service than the naval cadet, and their tuition was paid out of the public purse, and not as by the midshipmen out of their pay. The Masters' social position on board ship was good, and when on shore it depended, like every other class, very much on the individual character of the man. The change was not required, and the Committee of 1862 reported against it on the ground that the present system was a good one. If this was intended as an experiment the time was ill-chosen, just when our ships are so greatly increased both in size and value, and when the experiment would involve the loss of an existing body of skilled and experienced navigating officers. He hoped the Committee would be cautious before they assented to the proposed change, especially as the majority of our experienced naval officers were averse to it.

SIR MORTON PETO said, the importance of the question required the serious consideration of Parliament, and as it was then too late to fully discuss the question, he moved that the Chairman should report Progress.

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Morton Peto.*)

LORD CLARENCE PAGET said, he hoped the Committee would assent to the Vote for the number of men. The subject of the navy could be resumed on Thursday.

SIR MORTON PETO said, he objected to the Vote being taken, unless it was understood that the Committee might go into the whole question of the navy on a future night. His object was to prevent any hon. Member from being precluded to enter on any subject connected with the navy by the forms of the House.

SIR JOHN PAKINGTON said, it was desirable that there should be no misunderstanding about the matter. He concurred with the hon. Baronet the Member for Bristol that the Committee should have the right of entering fully into the subject on a future day.

MR. CHILDERS said, he hoped that before the Chairman reported Progress, he might be allowed to take two Supplemental Civil Estimates.

MR. FERRAND asked the noble Lord the Secretary of the Admiralty if the Return he moved for on Friday last would be in the hands of the Committee before Vote No. 3 was taken?

Motion, by leave, *withdrawn.*

Original Question, by leave, *withdrawn.*

(1.) £764,829, Advances for New Zealand War.

(2.) £372,943, Deficiencies on Grants for Civil Services.

Resolutions to be reported *To-morrow.*

Committee to sit again on *Wednesday.*

JAMAICA GOVERNMENT BILL—[BILL 17.]

AS AMENDED CONSIDERED.

Clause 1.

MR. ADDERLEY said, he was sorry at so late a period of the evening to move an Amendment on this Bill, but to his mind it was of so important a character that, although he knew the necessity for expedition in passing the Bill, he could not refrain from pressing the Amendment of which he had given notice. He expressed his regret at seeming to oppose the Secretary of State for the Colonies. But the right hon. Gentleman was spoiling his own measure by the insertion of words which had the effect of limiting the existence of the new Constitution to three years. He thought that the effect of the Bill would be entirely destroyed if the new Constitution were so limited. He opposed that limitation for four reasons. In the first place, the new Government which was to supersede the present would labour under every possible disadvantage—in fact, would be sent out with a rope round its neck, depriving it of the respect which was essential to its success; secondly, it would be almost impossible for the first Governor, under the new Constitution, to introduce any of those measures of reform which must be necessary when he knew that he had only a short time to pass them in, and that the actual reforms might only last for three years; thirdly, it was running a very great risk to impose any limitation, as it might be that the time might expire at the most critical and most inconvenient moment for revising the Constitution; lastly, all these disadvantages were incurred without any necessity. If the necessity for a new Jamaica Government was only temporary, let the remedy be temporary also, but if they believed that the necessity was permanent, as was the case, why not let the remedy be permanent also? It might appear to those who looked superficially at the question that the late insurrection was the reason for this change in the Constitution. But the fact was that, while the late insurrection might have been the accident which precipitated the change, the change had really been necessitated by causes which originated thirty years ago. Even when the first Patent created the existing Government in the reign of Charles II., the Legislative Assembly became refractory, stopped the supplies, and rejected Revenue Bills. But for a century and a half it worked on with tolerable success. The period of 1807 was the acme of the commercial prosperity of Jamaica, for at that time the colony employed no less than 200,000 tons of shipping. At that time the emancipation of the negroes took place, by which a constituency was introduced which rendered representative institutions no longer practicable. He could hardly conceive that the most sanguine democrat who would be ready to compose the constituency of the House of Commons chiefly of working men, or of those who could barely read and write, would defend the sudden introduction of that half-civilized, and but recently emancipated antagonistic population into a constituency of old representatives. Not only had representative institutions been thus rendered absolutely impracticable, but the Assembly and Council had been in perpetual mutual hostility, and, as if that were not enough, the Council itself was often in a state of hostility to the Governor. The position of the Governor thus became peculiarly difficult. With one eye on the Assembly and another on the Colonial Secretary at home we find him, from time to time, calling for the suspension of his own Government, and on one occasion upsetting the Government at home. I mean Lord Melbourne's. Every event which had occurred since that time only illustrated more and more the unsuitableness of representative institutions to the present condition of the colony. Its history had been a series of crises. Whether they introduced a more liberal commercial policy, or repealed differential duties, whatever the state of the advancing policy of this country in connection with our colonies, the effect was only to introduce greater confusion into Jamaica, and reduce it to that condition in which the late Mr. Charles Buller many years ago said representative institutions were become in Jamaica absolutely impossible. That being so, the right hon. Gentleman (Mr. Cardwell) could not suppose that he would ever have to retrace his steps. He wanted no interval for experiment, or tentative period. Representative institutions could never be re-established. Then he could have no doubt as to the form of Government that must be substituted. The Assembly being condemned by the Council and by the whole population of Jamaica, and finally by itself, the only question was whether the Government should become a mixed Council or simply a nominated Council, and from the first discussion it was clear that the opinion of the Governor and the Secretary of State was that the simple nominee Government was the best. He could not conceive the argument put in a narrower compass than the right hon. Gentleman himself had put it in one of his despatches, when he said—

> "Where there is no wide basis for constituent and representative power and responsibility to rest upon, there in no eligible alternative but to vest power and responsibility substantially in the Crown."

He (Mr. Adderley) considered the argument complete. He could assign no reason for making the Act temporary, which could justify damaging its chance of success. He therefore moved the omission of the words limiting the operation of the Bill to three years.

Mr. CRUM-EWING said, that having given notice of a somewhat similar Amendment, he begged to say a few words on the proposal of the right hon. Gentleman. He considered the limitation of the Bill to three years implied a doubt as to the wisdom and expediency of the measure itself. So long as there was any room to suppose that the Bill would come to an end in three years, and that the former system would be restored, capital would not be invested in the island; and the negro population, which was in a very dissatisfied and disorganized state, would never settle down into any regular habits. There was great danger in limiting the Bill, but he could see none in withdrawing that limitation, and the remedy would then be left in the hands of the Government. His right hon. Friend the Secretary of State, in answer to what he had stated the other evening, said he did not anticipate that at the end of three years they would be able to recur to the former Constitution of Jamaica. If not, why should the Bill be limited? He hoped the right hon. Gentleman would give way on this point. He believed the true interests of Jamaica were involved in his doing so. If no limitation were put to the duration of the Act, he trusted they would see a return in some degree of the prosperity of Jamaica.

Mr. STEPHEN CAVE said, he entirely concurred in this Amendment. One of the principal objects of the change in the Constitution was to put an end to the political animosities resulting from frequent elections, which in Jamaica had led to the formation of a white party and a black party, and, in fact, to a conflict of races. Would this be effected by a temporary measure? By no means. The evil would rather be intensified. The moment the island, which had been terrified into unprecedented unanimity, recovered its usual tone a regret would spring up for the loss of patronage and position, and agitation would commence with all its attendant evils, increasing as time drew on, and when the three years had expired, should the Governor be unpopular—and there had been only one or two since emancipation who had not been so—or should the Colonial Office be out of favour, as it almost always was, there would be a clamour for the old institutions; and should there be a weak Government in this country, and we knew that Governments were sometimes weak, it might yield to what might be mistaken for the general wish, and the last state of Jamaica would be worse than the first. Hon. Members must not suppose that Government by a Council meant monopoly of power by the whites. In Trinidad a few years ago one of the most respected members of the Council was a black man—Dr. Phillip—whose death was deeply lamented by himself and every one else connected with that colony. It had been truly said that should Jamaica ever be fit for a return to a popular form of Government, this country was not so enamoured of administering the affairs of her distant dependencies as to refuse it; but do not let them invite premature agitation, which could not but entail disastrous consequences upon this unfortunate colony.

MR. CARDWELL said, that the view which he himself had always entertained was that a permanent measure was necessary for the welfare of Jamaica, and before the disturbances he was engaged in prosecuting inquiries, which he hoped would lead to the appointment of a Committee and consequent legislation. The reason he proposed a temporary measure was because he had not had the opportunity of completing those inquiries, and he thought that the Bill might be passed in its present shape with an engagement from the Government to submit the subject again to consideration; but if it was the feeling of the Committee that it was necessary to have the Bill in a permanent shape he would readily consent to the proposal.

Amendment *agreed to.*

Bill to be read the third time *To-morrow.*

CATTLE DISEASES (IRELAND) BILL.

[BILL 37.] SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) moved the second reading of this Bill. He said, its object was to give the Irish Government similar powers to those exercised by the Privy Council in England, and to authorise a rate to be levied, out of which to give compensation for cattle ordered to be slaughtered according to the same proportion as is prescribed in the English Act.

Moved, "That the Bill be now read a second time."—(*The Attorney General for Ireland.*)

LORD NAAS said, he wished to express his concurrence in the principle of the measure, but he wished to know whether the Bill would apply to other diseases besides the cattle plague. He thought the machinery with regard to raising money somewhat cumbrous, and that it would be better if the money were advanced by the Treasury, first of all, in the ordinary way, as in the case of lunatic asylums, and that it should be re-imbursed by a charge on the poor rates, spread over a certain number of years. He wished also to know how it was proposed to pay expenses other than those connected with the slaughter of cattle; whether the expenses were to be defrayed from the poor rate, whether it was intended to employ special constables, and whether they were to be paid differently from the ordinary constabulary of the country? The fact of the Government having taken on themselves the responsibility of the necessary measures would give the greatest satisfaction in Ireland.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, that the 10th section of the Bill showed clearly that the fund was intended to defray, not merely the cost of compensation to owners of cattle compulsorily slaughtered, but also the expenses of carrying the Bill into execution. The Report of December 6 of the Irish Committtee upon the Cattle Plague had been fully acted upon, inspectors had been appointed, and the utmost diligence used. The Bill was intended to be a permanent Bill, giving the Lord Lieutenant in Council the powers of 11 & 12 *Vict.* He did not think that any particular or large remuneration would be given to the inspectors, though small compensation would be made to veterinary surgeons. It was not intended to remunerate those connected with the constabulary. The Government had been in communication with the Poor Law Commissioners, who had suggested the scheme adopted for raising money as being the most readily put into operation. Under it, directly the Poor Law Commissioners got an order to do so, they could set apart a sum out of the money in their hands, so that there would be a fund instantly available; and the money could be refunded as the rates came in. It might, perhaps, be necessary to make it more clear that the latter sections of the Bill were intended to be applicable only to the rinderpest; and in Committee he would propose the necessary Amendments.

Bill read the second time.

PETIT JURIES (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL for IRELAND, Bill to consolidate and Amend the Laws relating to Petit Juries in Ireland, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 41.]

House adjourned at a quarter
after One o'clock.

HOUSE OF LORDS,

Tuesday, February 27, 1866.

MINUTES.]—Public Bill—*Second Reading*—Cattle Plague (27.)

SMALLPOX IN SHEEP.

QUESTIONS.

The Duke of RICHMOND asked the Lord President of the Council, Whether the Government has received any distinct information respecting the existence of the smallpox among sheep in this country; if so, he wished to know in what counties it had made its appearance; and whether the Government intends to take any steps in the matter?

Earl GRANVILLE replied, he was sorry to say that the disease had broken out in Northamptonshire and also in another place. The Government had sent down an inspector into that county to make inquiries and send in a report on the subject.

The Duke of MARLBOROUGH asked, whether the Government had taken, or contemplated taking, any steps at the ports of entry with a view to guard against the spread of the infection?

Earl GRANVILLE said, that the Custom House authorities took the same precautions with regard to sheep arriving from abroad as had been taken for some time past with regard to the arrival of cattle.

The Earl of CARNARVON asked the noble President of the Council where the second case of smallpox had occurred?

Earl GRANVILLE replied, that unfortunately, he could not at that moment recollect where the second case had occurred.

CATTLE PLAGUE BILL—(No. 27.)

SECOND READING.

Order of the Day for the Second Reading read.

Earl GRANVILLE: My Lords, I rise, in pursuance of an understanding come to last night, to move the second reading of this Bill. As I stated on that occasion, the Bill is not one which, while moving its second reading, I can treat in the ordinary way. It is usual, when the Government asks your Lordships to read a Bill a second time, for the Minister to defend its principle, and also to defend the details by which that principle is to be applied; but I cannot take that course on this occasion. As I understand it, the object of the Bill is to give effect to an opinion entertained by agriculturists and other persons that in regard to restrictions on the movement of cattle a uniform rule should be established all over the country, so as to avoid that confusion which it is supposed might arise from various regulations issued by local authorities by virtue of Orders of the Privy Council. I need scarcely observe that the subject is a very difficult one to deal with; and in any comments which I may offer on this Bill, I wish it to be understood that in no sort of way do I make any reflection on the hon. Gentleman the Member for Northamptonshire (Mr. Hunt), who in the preparation of the Bill and its carriage through the other House bestowed so much attention on a subject so difficult and at the same time so important. The principle of the Bill is to prevent the movement of cattle by highways, canals, or rivers from the 1st of March to the 24th of the same month; but so many exceptions were found necessary that, as I stated yesterday, no less than sixteen were formally introduced into the Bill; and there are some additions to even those sixteen exceptions. The first provides that within any district which the Privy Council may declare free from the disease nothing in the Act shall prevent the removal of live beasts. In the same clause certain powers are given to the local authorities of these same districts to impose restrictions or conditions on the introduction of live beasts into their districts, and on the removal of beasts from place to place within them. Then there is an exception, in accordance with which beasts may be moved from one building, yard, or field to another, in the same occupation, on the public highway, for a distance of 200 yards; and a further exception, by which the distance may be increased to two miles in cases where a licence shall have been procured for the purpose of the immediate slaughter of the beasts at a slaughterhouse. Your Lordships will find that Scotland has been more liberally dealt with than England in regard to exceptions, for while in this country the distance for which cattle can be moved on any highway for the purpose of slaughter is limited to six miles, in Scotland there is no limit to the distance for which beasts may be moved for that purpose—in fact, an animal may be brought through the most infected counties of Scotland. Another of the exceptions is one in favour of sound milch cows moved in a covered van for the purpose of being placed on a vessel outward bound. There are exceptions permitting the moving of animals for breeding purposes. Another exception enables persons to send sound calves not more than twenty-one days old on any highway, in a cart or other vehicle, for a distance of ten miles, and there is another exception with respect to beasts imported. My Lords, I do not mean to cavil with these exceptions; but the mere fact that they are to be found in the Bill shows how difficult a question this is to deal with in detail. Those who have supported the principle of the Bill insist on the necessity of uniformity in the regulations against the cattle plague; but when we find that to the one general and principal provision of the Bill there are these numerous exceptions, I submit we are much more likely to create confusion than to establish any clear rule, and I fear we may conclude it will be quite impossible to have the details of the measure generally understood within the short time during which they are to be in force. It would appear that three weeks would not be too long a time to allow the local authorities to master the provisions of the Bill and put them in operation; but by that time these provisions will have expired. It is quite true that the Privy Council are to have power in regard to a renewal of restrictions; but from the first it has been contemplated by every one that at an early date all restrictions on the movement of cattle must be put a stop to; because it would be impossible to keep them in operation at the period when there is a considerable change of tenancy, and I need hardly observe that if we allow such provisions as these to drop and afterwards take them up again, such a proceeding will lead to very great confusion. On the whole, my Lords, I cannot but think that though the principle of this Bill is one of uniform restriction, yet so limited is the operation of that principle, owing to these numerous exceptions, that the provisions of the Bill are not so stringent as those which are being carried out by the local authorities under the authority of the Orders in Council. From the information which we are receiving I learn that the system in operation under the local authorities is now working very well. I cannot ask your Lordships to pledge yourselves to any particular provisions of this Bill, some of which I do not myself approve. At the same time, there are some of its clauses which will be very valuable additions to the Cattle Diseases Bill; and therefore I think we should do well to read it a second time, with a view to its careful consideration in Committee. There are many clauses which it would be a pity not to pass, and there are others which, with slight modifications in Committee, can be rendered very useful. There is apparently no reason, for instance, in cases where cattle are being illegally removed, why it should require but one justice to deal with the offending driver, while it requires two to deal with the beast. Clauses relating to the removal of hides, and also to the point which the noble Earl opposite mentioned the other evening as to the difficulty in some cases of finding a sufficient quantity of earth to inter diseased animals, are also, I think, susceptible of useful handling in Committee. Upon the clauses relating to cattle-trucks, pens, and one very useful restriction upon dogs, your Lordships also will, no doubt, wish to bestow attention. There are several other clauses of a miscellaneous character; but having briefly sketched the character of the Bill, and explained to your Lordships how it is proposed to deal with it, I do not think that I need enter into details, which will be more fitly considered by the Select Committee. Being anxious not to lose any time, I at first consulted with some noble Lords of great influence in this House the propriety of sitting to-morrow, contrary to the usual practice. I found, however, that it was quite impossible for Her Majesty's Government to fulfil their pledge of considering in the meantime what Amendments they would introduce. The earliest moment at which I can pledge myself that these Amendments will be in your Lordships' hands will be at the meeting of the House on Thursday. This also will afford time to noble Lords individually to consider what improvements they would wish to see made in this Bill, with a view of making its provisions such as they ought to be. If the Motion be agreed to, and the Bill be referred to a Select Committee, then, as it is most important that clear views should prevail on the subject, I hope that noble Lords who intend to move Amendments will be good enough to give notice of their nature, so that we may be in possession of the general character of all the Amendments before entering upon the discussion.

Moved, "That the Bill be now read 2^a."—(*The Lord President.*)

Lord BERNERS said, he should support the Motion for the second reading, regarding the measure as supplementary to that which had already passed. He would direct their Lordships special attention to the 28th clause, which related to the disinfecting the cattle pens and trucks by railway companies, which appeared to him to be very stringent. He was glad to observe that the powers of the inspectors had been to some extent restricted; but, on the part of a great body of the agriculturists of the kingdom, he felt bound to say that compensation to the amount of one-half was too little to induce farmers to come forward and give information as to the existence of the cattle plague, and he believed that in saying so he was but speaking the opinion of many Members of the other House as well as of a vast proportion of the agricultural body. The power which the Bill contained of preventing trespassers from entering upon the land was very salutary.

The Marquess of BATH said, he agreed with almost everything which had fallen from the noble Earl the President of the Council, but differed from some of the conclusions drawn from those observations. A Bill of some sort was absolutely necessary; but if its duration were restricted to the 25th of March, it would be practically inoperative, because the shortest time in which it could pass would be about ten days, and between the passing of the Bill and the 25th of March it would be impossible for the country to become acquainted with its provisions and bring them into working order. The Government and the country must look upon this not as a temporary measure, but as a measure showing the way in which the cattle plague ought to be dealt with during the ensuing summer. He entirely agreed with the noble Earl that to include in the Bill detailed regulations and lists of exceptions on the subject of prohibition was most unadvisable. It was far better to prohibit the movement of cattle altogether, leaving a discretionary power in the hands of the local authorities. He regarded as a most valuable clause that which the Government originally proposed in the other House, empowering the local authority to decide upon the area to be treated as infected, for any rule laid down upon this point in an Act of Parliament was altogether deceptive. In some parts of England two miles, in others twenty miles, was not a long distance. As a rule the inspectors did not possess the confidence of the country, although no doubt many of them were persons of great merit. As to the question whether the proposed licences should be signed by one or more magistrates, he thought it desirable that more than one should sign them, but he must remind their Lordships that in many parts of England that was almost impossible. In conclusion, he would suggest that one of two courses should be adopted with a view to stop the movement of cattle. Either that Parliament, having prohibited cattle traffic, should leave it to the local authorities to say by what means the prohibition should be insisted upon; or else that the local authorities should be left to impose such restrictions as they thought fit upon the movement of cattle. He did not, however, think so well of the latter course as the former, because it would be throwing too much responsibility upon the local authorities.

The Earl of WINCHILSEA thought the Bill had come before their Lordships a little too late; had it come earlier, however, it would have been most useful, for while the plague was within a small compass it might have been stamped out; but that could not be done now. With the solitary exception of the clause preventing the importation of live foreign cattle to renew the plague, he was of opinion that the provisions of the Bill, if they became law, would simply add annoyance to the injury caused by the plague. How could they expect the provisions of the Bill would put an end to the disease when it was increasing every day? The inspectors reported 13,000 cases a week. Most probably, if full returns had been made by all the inspectors, they would be told the number was 15,000, and, no doubt, in a short time it would be 20,000. It had been well said the disease was an infliction by Providence. He acknowledged it as such; and, at the same time, recognized it as a visitation of improvidence. Bad arrangements had created the disease, and the country must pay the penalty. He feared that the enactments of this Bill would not secure the end in view, and that a Bill containing better considered provisions would be found necessary.

The Duke of MARLBOROUGH was glad the noble Earl the President of the Council had taken the initiative in proposing that this Bill should be referred to a Select Committee; but he desired to make some observations upon the subject of the compulsory and indiscriminate slaughter ordered by the Bill which they had already passed. Public opinion was rapidly changing in respect to the advisability of adopting the principle of indiscriminate slaughter, and he thought that it would be found necessary to relax the severity of the rules now in operation. He would remind their Lordships that the first Report of the Commissioners was decidedly against the principle, and he should be glad to hear some account of the reasons which had since induced them to alter their opinion and report the very opposite. It had been said in support of the principle that it was adopted with much success upon the Continent; but he would remind their Lordships that in foreign countries the system was carried out under peculiar circumstances. When the disease broke out in an isolated district a military cordon was drawn around the place, and not only was it forbidden to remove the hides, hoofs, and other similar things, but even persons were not permitted to go out from the district; so that complete isolation was ensured. Under such circumstances, the system of indiscriminate slaughtering might be successfully carried out; but in England it was impossible to secure complete isolation, and his belief was that the Act would result in the needless destruction of a vast number of animals which would otherwise have recovered. In his part of the country the regulations as to slaughtering had come upon the farmers quite unawares. They had no notion of the severity of the measure which had been enacted until it came upon them with the force of law, and, of course, they were most unwilling to have their convalescent cattle destroyed. The feeling of dissatisfaction was therefore becoming very strong among the farmers, especially as the percentage of recoveries were daily increasing—for whereas formerly the proportion of cattle that recovered was 10 per cent it was now, whatever the reason might be, 30 or 40 per cent. He therefore trusted their Lordships, who would consider the Bill in a Select Committee, would see the necessity of adopting some measures to modify the orders for indiscriminate slaughter contained in the Act which had been passed. He would also advert to another point of importance. It was most desirable that their Lordships should be put in possession of the number of cattle in this country, and compulsory powers to obtain it should be held by the Government. In conclusion, he joined with the noble Lord who had preceded him when he expressed a hope that out of a fair and impartial consideration of the provisions of the Bill before them some means might be adopted which, under the blessing of God, would tend to stop the fearful scourge now visiting the country.

The Duke of BUCKINGHAM desired to call to the attention of their Lordships that the time was approaching when every one of the Orders in Council relating to the movement of cattle would have to be revised. About the middle of next month, from change of tenancy and other causes, considerable movements of cattle must take place, and he feared that when these Orders came to be revised by the local authorities, they would get into great difficulties and trouble. He thought it would have been better for the country if the Government had availed themselves of this Bill to introduce clauses giving effect to some of the proposals of the measure brought in by the Government in the House of Commons at the meeting of Parliament. He thought also that the powers should be taken for a much longer period than three weeks—a period which he thought utterly useless, for it was impossible to suppose that the cattle plague would have been got rid of by the 25th of March. He thought, therefore, that some prospective restrictions should be enacted, and he believed these restrictions would be better carried out by Parliament than by allowing the local authorities latitude in dealing with the disease. If this Act were not passed it would be open to the local authorities to throw open markets and fairs throughout the country.

The Earl of ROMNEY was understood to say, that if their Lordships had gone into Committee he should have proposed certain exceptions with regard to portions of Kent.

Motion *agreed to*:—Bill read 2^a accordingly, and *referred* to a Select Committee.

The Lords following were named of the Committee; the Committee to meet on *Friday* next, at One o'Clock, and to appoint their own Chairman:

His Royal Highness The Prince of Wales
Ld. President
Ld. Privy Seal
D. Richmond
D. Marlborough
D. Buckingham and Chandos
M. Salisbury
E. Doncaster
E. Airlie
E. Cowper
E. Spencer
E. Carnarvon
E. Grey
L. Berners
L. Stanley of Alderley
L. Lyveden

REPRESENTATION OF THE PEOPLE—ELECTORAL RETURNS.

RETURNS MOVED FOR.

Lord STRATHEDEN, in moving for certain Returns relating to the number of Voters and £10 houses in England and Wales, said, that a general impression existed that the proportion of electors to the population had of late years declined. He had no doubt that vague assertions to this effect had been made to their Lordships; but as far as he was aware there was no evidence to prove the truth of such statements. If he was not mistaken it was shown during the inquiry made upon the subject in 1860 that in some constituencies the percentage of electors to the population was much larger than at the time of the Reform Act. On another point much doubt prevailed as to whether the proportion of houses above compared with those below a £10 rental. Some persons believed that the proportion of the £10 houses was increasing in boroughs, whereas others were of opinion that, owing to the destruction of low-class houses for railways and other purposes, the proportion was diminishing. In order to clear up the matter, he now begged to move for Returns showing the proportion of voters to population in the general election of 1835 and in the general election of 1865, and showing the proportion of houses at and above the value of £10 and the houses beneath the value of £10 in boroughs of England and Wales during 1835 and 1865. The noble Lord then moved—

> "That there be laid on the Table of this House Return showing the Proportion of Voters to Population in General Election of 1835 and in General Election of 1865: And also,
>
> "Return showing the Proportion of Houses at and above the Value of £10 to Houses beneath the Value of £10 in Boroughs of England and Wales during 1835 and during 1865."

Earl RUSSELL said, he was afraid that the Returns, if agreed to by the House, would not furnish the information the noble Lord desired. In the first place, there were no Returns of the population for 1835. There were certain Returns for 1865 which would before long be laid on the tables of both Houses; but as to the other Return, the only Office from which it could be obtained was the Poor Law Board; but he had inquired there and had been informed that it would be quite out of the question to attempt any such Returns, because no parish could inform them with any accuracy of the number of houses below £10 in the year 1835 within their boundaries. The Government had ordered Returns bearing on the electoral question which had been in preparation since November last, and those papers would show, he thought, everything which could be presumed to appertain to the subject. If, however, the noble Lord should think those Returns, when produced, insufficient, he could move for additional Returns. But he thought it would be useless to order a Return that could not be produced. There were 1,600 parishes in boroughs sending Members to Parliament; and to ask them what was the rating of every house thirty years ago would be a useless attempt. He could not, therefore, consent to the Returns asked for.

Lord STRATHEDEN said, that after the explanation of the noble Earl, he would withdraw his Motion.

Motion (by Leave of the House) *withdrawn.*

THE CATTLE DISEASE IN SCOTLAND.

MOTION FOR A PAPER.

The Earl of AIRLIE, in rising to move for a copy of a Memorial to the Privy Council from the Proprietors and Tenant Farmers of Kincardineshire, praying for the suspension of that part of the Act of 29 *Vict.* c. 2, Clause 15, which relates to the slaughter of cattle, and for a Copy of the answer to that Memorial, said: The memorial for which I move is one which I am told had been signed by a large number of men of the highest standing in the county of Kincardine, and by many of the most respectable tenant-farmers of that county. I have not seen the memorial; but I understand that the memorialists state that, under a system of cure which they have recently adopted, they have succeeded in saving 90 per cent of the cases submitted to that treatment. The memorial is signed, amongst others, by Sir Thomas Gladstone; and it is possible that your Lordships may have observed a letter from that gentleman in the morning papers of to-day, in which he states that out of fifty-three cases submitted to a particular mode of treatment, no less than forty-seven are doing well. Now, I think it is very desirable at this time that cases of this kind should be brought under your Lordships' consideration. You have recently passed an Act authorizing the indiscriminate slaughter of cattle; and I think it is right, if that Act is to be continued in operation without any modification whatever, that you should be made aware of what it is you are doing, so that if this principle of indiscriminate slaughter is to be persisted in, it will at least not be carried out in ignorance of the consequences. Now, my Lords, I observe that Her Majesty's Commissioners, in their second Report of the cattle plague, after giving the number of diseased animals which were killed, what died, what recovered, and what were unaccounted for out of 120,740 cases down to the 27th January, go on to say—

> "From the above figures it will have been observed that as the number of diseased animals killed has diminished, the percentage of attacks among the animals exposed to infection has increased, whilst the percentage of deaths from disease among the animals attacked has risen still more steadily and in a greater proportion. Were slaughtering entirely abandoned the recoveries would probably not exceed 15 per cent."

I think that the recent Returns bear out the results of that observation. According to the last Return, if you take throughout the whole country, the average number of recoveries as compared with the total number of cases does not amount to more than 12 per cent. But there is nothing more remarkable than the amount to which the death-rate varies in different localities. I am afraid, in order to make myself fully understood, that I shall have to trouble your Lordships with some figures; but a matter of this kind is one which turns almost entirely upon figures and statistics. I take it that your object is to save as large a number of cattle as possible; and it becomes a question of figures whether it is desirable to slaughter a certain number, and what percentage of the animals attacked recover. Turning to the last Report which has been issued by the Veterinary Department of the Privy Council, I find that in the English counties the percentage of recoveries to cases has been rather more than 10 per cent—about 10½ per cent. In the Metropolitan Police district the percentage of recoveries has been 4, and in Wales 12; while in Scotland it has been 20 per cent, so that here you have a margin of nearly 16 per cent between the greatest proportion and the smallest proportion of the recoveries in different districts. But the discrepancy, I say, is still more remarkable in the percentage of recoveries if you take particular districts. To show this, I will take four counties in England and four counties in Scotland. I will take in England the counties of Cambridge, Chester, York, and Kent. In those counties I find that from the first outbreak of the disease down to the 19th of February, there have died from the disease, and been killed as diseased animals, 51,863; 7,392 have recovered, so that the average of recoveries to deaths has been 1 to 7. In Cambridgeshire, 4,656 died and were killed; 356 recovered, and the proportion of recoveries to deaths was 1 to 13. In Cheshire, 28,480 died; 7,506 recovered — the proportion of recoveries being 1 to 11. In Yorkshire, 17,365 died, and 4,445 recovered—the proportion being 1 to 4; and in Kent, 1,362 died, 85 recovered—the proportion being 1 to 16. I will now take four Scotch counties — Forfarshire, Perthshire, Kincardineshire, and Clackmannanshire. In those counties the total number of deaths has been 12,945, and of recoveries, 4,819—showing an average of about 1 recovery to 3 deaths. In Forfarshire, 8,292 died, and 2,971 recovered—the proportion being about 1 to 3; in Perthshire, 3,424 died, and 1,336 recovered—the proportion being 1 to 3; in Kincardineshire, 983 died, and 323 recovered—the proportion being still 1 to 3; and Clackmannanshire, 246 died, and 189 recovered — the proportion of recoveries being 2 to 3. That Report is from the commencement of the disease down to the 17th February; but if you simply look at the return for the week ending February 17 last, the discrepancy is still greater. In the four English counties I have already referred to, 4,800 died, 733 recovered —the proportion of recoveries to deaths being a little more than 1 to 7, or nearly the same as during the whole continuance of the disease. But in the four Scotch counties of Forfar, Perth, Kincardine, and Clackmannan the total deaths were 797 to 422 recoveries—the proportion of recoveries having risen from 1 to 3 to rather more than 1 to 2; and these figures include also many of the old cases. In Forfarshire, 408 died and 206 recovered—the proportion of recoveries being 1 in 2. In Perthshire, 276 died and 136 recovered—the proportion being 1 in 2. In Kincardineshire, 104 died and 69 recovered—the proportion being 3 in 5; and in Clackmannanshire the deaths were 7 against 11 recoveries—the proportion of recoveries being 11 to 7. In the English counties the average has not changed; but in the Scotch counties, while the average during the whole period was three deaths to each recovery, during the week ending the 17th February there were only two deaths to each recovery. I said the other day that in the county of Forfar the percentage of recoveries now amounts to nearly 50 per cent. I believe that I was within the mark in making that statement, for my hon. Friend the Member for the county of Forfar, who is himself a practical agriculturist and is thoroughly conversant with that part of the country, informs me that in the case of milch cows the farmers in Forfarshire now succeed in saving two out of every three. One of them writes as follows :—

> "In fact, deaths are becoming the exception wherever the owners are watchful and discover the first symptoms in time."

He adds—

> "The farmers here are almost panic-struck by the strangeness of the Bill. They were in hopes of a large number of recoveries."

In a letter from another farmer in the same county, the writer states that if the Act is put in force 2,000 cattle will be slaughtered, with regard to which at present there is a fair chance that from 1,800 to 1,900 might be saved. It is not only in Kincardineshire that the provisions of this Act are looked upon with consternation, but in Forfarshire, Aberdeenshire, and all the adjoining counties the greatest alarm and terror have been spread. And who can wonder at it ? It is not the mere value of the animals destroyed, but the whole machinery of farming will be thrown out of gear. If the animals were destroyed where is the manure to come from ? And, if the farmer cannot get manure, how is he to go on cultivating the land at all ? I have never opposed the principle of extirpating the disease by slaughter when it can be done at a proper time and in a proper way. When the disease first breaks out, and you have only ten or fifteen centres of infection to deal with, by all means do all you can to extirpate the disease ; but when it has ravaged a county from end to end—and in some counties at this moment there is hardly a single sound beast—it is the height of folly to apply the same iron rule as in cases in which the disease is only just appearing. And let me remind your Lordships that it is not only the animals affected by the disease that you run the risk of extirpating by this summary proceeding. Let me call your attention to what occurred the other day at Montrose. Professor Simonds, the Government inspector, went down there to report upon certain cures which were alleged to have been effected by Mr. Worms. Mr. Simonds reported that many of the cases were not cases of cattle plague at all. Now, if they were cases of cattle plague, Mr. Worms has succeeded in curing them ; and if they were not cases of cattle plague the local inspector had certified them as such, and under this Act they must have been slaughtered. Surely, if the Government are to tie up the hands of the local anthorities by stringent rules, they are bound to furnish officers who can tell when an animal is suffering from the cattle plague and when it is not. When I turn to another section of the Act which you have passed, I find that you have made the inspectors absolute in this matter. It is provided in that section that the certificate of an inspector to the local authorities declaring that an animal is infected shall be conclusive evidence in all Courts of Justice and Law that the animal has been so infected ; so that by that means you leave it in the hands of these ignorant inspectors appointed by the local authorities to slaughter wherever they think proper. We have heard a good deal about the recommendations of the Royal Commission ; but I do not recollect that the Royal Commissioners distinctly in so many words do recommend the slaughter of animals. On the contrary, I find in the evidence given before the Commission a great deal that goes against the indiscriminate slaughter of cattle. I find that Professor Gertach, who was examined in Austria, only recommended slaughtering when the disease is confined to a small space. In France, a discretionary power is given to the prefects to slaughter. In Austria slaughter is only resorted to while the plague is confined within narrow limits. After it has spread beyond a certain range, it is considered that all attempts to extirpate the disease by destroying the animals is hopeless, and that the only remedy is rigid isolation. Under all these circumstances, I think it very difficult to acquit the Government of blame for the course they have taken in regard to the Bill that was passed the other day. We were told by Members of the Government again and again that the Bill had been hastily drawn up, and that it had been prepared in a great hurry. But I want to know why it was prepared in a hurry ? The cattle plague was nothing new. We had had the cattle plague in the country for seven months ; and the evidence given to the Royal Commissioners had been before us for three months. Surely in the time that had happened since then the Government might have framed a measure worthy of being presented to Parliament when it met. I do hope that the Government will, at all events, consider it their duty to institute an inquiry in those districts where the disease appears to be just making its appearance. They ought to send persons down to ascertain first if the cases reported as cases of disease are really cases of cattle plague; and they should not allow this indiscriminate slaughter to go on without at all events giving us good reason to hope that it is absolutely required. The noble Earl concluded by moving an Address for—

> "Copy of a Memorial to the Privy Council from the Proprietors and Tenant Farmers of Kincardineshire, praying for the Suspension of that Part of the Act of 29th *Vict.* Cap. 2. Clause 15, which relates to the Slaughter of Cattle; and for a Copy of the Answer to that Memorial."—(*The Earl of Airlie.*)

EARL GRANVILLE said, he did not think it necessary that he should now enter into discussion on a point which had been decided only a few days ago by a very large majority of their Lordships. He did not think it would lead to any practical purpose to go into the question, but he had no objection whatever to the production of the correspondence for which the noble Earl had moved.

Motion *agreed to.*

House adjourned at a quarter before
Seven o'clock, till Thursday next,
half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, February 27, 1866.

MINUTES.]—NEW MEMBER SWORN—*For* Ripon, Lord John Hay.

SELECT COMMITTEE—On Controverted Elections; The Chairmen's Panel; East India Communications *appointed;* Metropolitan Local Government, &c.

SUPPLY—*considered in Committee*—Civil Service Estimates.

Resolutions [Feb. 26] *reported.*

PUBLIC BILLS—*Ordered*—Railways (Guards' and Passengers' Communication); Colonial Governors (Retiring Pensions); Public Libraries Act Amendment.

First Reading—Princess Helena's Annuity*[42]; Prince Alfred's Annuity * [43]; Public Libraries Act Amendment [44].

Committee—Cattle Diseases (Ireland) [37].

Report—Cattle Diseases (Ireland) [37].

Considered as amended—Jamaica Government * [17].

Third Reading—National Debt Reduction * [4]; Savings Banks and Post Office Savings Banks * [5] and *passed.**

EXCHANGE IN JAPAN.—QUESTION.

LORD STANLEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether his attention has been called to statements made in the *London and China Telegraph* of the 5th instant in reference to the Exchange question in Japan; and to ask him to produce a Copy of the Report made by Mr. Arbuthnot, of the Treasury, on the operation of the present system of appropriating the profits arising out of the Exchange; and whether any sums had been carried to the credit of the Public Accounts, out of the profit arising from the difference between the current value of the Japanese Ichibon and the rate at which it is supplied to the Naval, Military, and Civil Services?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that the literal answer to the noble Lord's question was very easily given. His attention had been called to the statement made in the *London and China Telegraph* upon this subject, and there was no objection whatever to produce the Report made by Mr. Arbuthnot; and, in point of fact, it was on those Reports that he (the Chancellor of the Exchequer) advised the House to rely mainly, in order to obtain a true knowledge of this very difficult and intricate subject. And lastly, he had to state that no sum had been carried to the credit of the public accounts, out of the profits arising from the difference between the current value of the Japanese Ichibon, and the rate at which it was supplied to the Naval, Military, and Civil Services. But he thought he ought to add some words of explanation, because otherwise the answer he had given would be hardly any answer, except to the noble Lord who had given his attention to the subject. By the tenth article of the Treaty with Japan there was a stipulation that all foreign coin should pass in that country at its corresponding weight in Japanese coin. Either from the orders of the Government or the prejudices of the people, it was found that the dollars in which our officers were paid did not obtain currency in Japan, and that they were totally unavailable as an instrument of ordinary exchange for the purpose of subsistence. On that discovery a communication took place with the Japanese Government, and an arrangement was made by that Government to the effect that the dollar should stand at a certain fixed value to the Ichibon. The effect of that exchange was of very considerable advantage to the Civil Service, because its fixed value was higher than the current rate of exchange. The principle of the exchange was that it should be at a rate simply that would cover the cost of coinage, and be equivalent to the weight of metal, so that in principle it was entirely in conformity with the article of the treaty on which the arrangement was framed. When this fact came to the knowledge of the Government at home the matter was examined into by the late Mr. Arbuthnot, of the Treasury, and he need not inform the House that he was a most valuable civil servant, and besides his other excellencies he was a perfect master of the currency question. Mr. Arbuthnot investigated the matter, and in consequence the Treasury made a communication to the Foreign Office to the effect that the practice ought to be abandoned, and it was abandoned accordingly. A great deal of correspondence, however, took place between Mr. Arbuthnot and Sir Rutherford Alcock before the conclusion was definitively arrived at, but when it was done the Foreign Office gave effect to it. However, when that was done it appeared that the Japanese Government decidedly objected to the alteration. They represented their objection to it strongly to Sir Rutherford Alcock, and he on his own responsibility altered the arrangement, in consequence of his entertaining so strong an impression of the impolicy of adhering to it. It became known in course of time at home that in October, 1864, Sir Rutherford Alcock had reverted to the old system of exchange. After he had done so the matter was again taken in hand by Mr. Arbuthnot, who at the time of his death was about to make another Report upon the subject. The Japanese merchants entertained two different views with regard to the subject—one party was favourable to it and the other was opposed to it; but it was impossible then to perfectly explain it. It appeared, however, there was no course open to Her Majesty's Government but either to continue matters as they were or to allow them to continue at the present rate of exchange, giving the credit of the exchange to the public accounts. There was this difficulty, however, in taking that course. They were informed that the scale of salaries was originally fixed in Japan somewhat low, considering the expense of living, and that there had since been a considerable rise in prices, so that although this lucrative system of official exchange had an irregular and accidental origin, its practical effect had been to prevent a general demand for an increase of salary. Mr. Arbuthnot thought the proper course would be to establish a mint in Japan in concurrence with the authorities of that country. But that was not the work of a day.

TREATY BETWEEN FRANCE AND MONACO.—QUESTION.

Mr. W. EWART said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the subjects of the State of Monaco, having been admitted by the French Government to the same privileges of trade and shipping as the people of France, British subjects are not also, under existing Treaties, deemed to be entitled to the same privileges?

Mr. LAYARD, in reply, said, it was true that by a recent arrangement the inhabitants of the small principality of Monaco had been admitted by France to the same privileges of trade and shipping as the people of that country. When that arrangement was entered into, Her Majesty's Government thought it right to state to the French Government that they could not accept it as a precedent, and if any other Power under "the most favoured Nation" Clause insisted upon having the same rights and privileges as French subjects, Her Majesty's Government would also insist upon them. Considering, however, the smallness of the State of Monaco, and its peculiar geographical position, Her Majesty's Government did not at present consider it necessary to take any step. We had no "most favoured Nation" Clause with respect to navigation; but he might add that no Power which had one had thought fit to communicate with the French Government on the subject of this treaty.

RAILWAY BRIDGES IN THE METROPOLIS.—QUESTION.

Mr. O'BEIRNE said, he would beg to ask the President of the Board of Trade, Whether his attention has been called to the danger to the horse traffic of the Metropolis which arises from the exposed state of the Railway bridges crossing many of the leading streets; and whether it is his intention to take such steps as will insure the erection of screens upon each of such bridges?

MR. MILNER GIBSON said, in reply, that the attention of the Board of Trade had recently been called by an individual to the danger referred to in the question of the hon. Member. If road authorities represented to the Board of Trade that danger to persons travelling on any road under their jurisdiction was to be apprehended from horses being frightened by the sight of engines on a railway, the Board of Trade had power, under the Railway Clauses Act, 1845, to order the erection of a screen, if it appeared that the danger could be so obviated; but the Board of Trade could not, under the law, act on the representation of private persons.

SALARIES OF THE CUSTOMS' CLERKS.

QUESTION.

MR. SEELY said, he would beg to ask, Whether any changes have been made in the salaries of the Clerks of the Customs House; and, if so, whether there is any objection to state the nature of them, and whether the changes would extend to the outdoor Clerks?

MR. CHILDERS said, in reply, that there were about 600 clerks in the London Customs, and several memorials having been addressed to the Treasury, the case of each had been very carefully inquired into by himself, the Chairman of the Board of Customs, and the Chairman of the Board of Inland Revenue. A new scale of salaries was to be substituted for the one now in force, and would be seen in the Estimates for the Revenue Department. He might say in general terms that there were in the warehousing department of the Customs 270 junior clerks and officers. The former were now divided into six classes, with salaries commencing at £75 a year, and rising by £5 a year to £120, and their maximum was £260. It was proposed in future to divide them into three classes, rising by £10 a year after the first two years from a minimum of £80 to a maximum of £300. The principal clerks would rise to £350, instead of £300. The controllers and assistant controllers would begin at £360, instead of £320, and would rise to £500, instead of £450 a year. In the Inspector General's and Examiner's Offices there were about 220 junior clerks and chief clerks. The former now began with £75, and only rose by £5 to £170. He proposed to divide them also into three classes, and apply the same arrangement to them as to the clerks in the warehousing department. A main feature of the scheme would be very advantageous to the public service generally, for it was proposed to substitute for a large number of the junior clerks a class who were to be called writers, who would be paid daily or weekly, and who would not be considered in the same station as the gentlemen who were popularly called clerks in the public offices. That plan had already been adopted with great success at the Admiralty, and it was found greatly to increase the flow of promotion. With regard to the outports, he proposed to examine the question with the same minuteness as in London. He had already gone through the Liverpool Custom House, and he hoped during the next month to go through the whole department of the Customs at the outports. There were about 250 or 300 clerks at these outports. He proposed to move for a Copy of the Treasury Minute which, with the Estimates, would give the House all the information it required.

SIR STAFFORD NORTHCOTE said, he wished to ask whether there would be any Minute as to the status of the body of writers?

MR. CHILDERS said, that the Treasury Minute would explain it, but there were details as to increase in wages and superannuation which had not been definitely fixed.

THE CATTLE PLAGUE.—QUESTION.

SIR ANDREW AGNEW: I beg to ask the Secretary of State for the Home Department, Whether, considering the probable fate of the Cattle Plague Bill, he means to propose a measure embodying the less objectionable Clauses of both the measures on the subject that have passed this House?

SIR GEORGE GREY: I do not know what the hon. Baronet means by referring to the probable fate of the Cattle Plague Bill. I have heard no report concerning it, except that a proposition has been made in the House of Lords to refer it to a Select Committee.

INDIA—EXPEDITION TO BHOOTAN.

QUESTION.

MR. OTWAY said, he wished to ask the Under Secretary of State for India, Whether the statement in the newspapers of a telegram which has been received with unusual celerity from Calcutta, announcing the restoration of the guns taken in the expedition to Bhootan, may be considered authentic; and, if so, whether, the guns being restored, and the last stipulation of the Treaty made with the Government of India being thus performed, it may not be considered that all prospect of an expedition into Bhootan is now at an end?

MR. STANSFELD, in reply, said, he was not prepared to answer his hon. Friend's Question without notice. He had no reason to doubt the authenticity of the telegram; and, if so, as far as his information went, there would be a conclusion of the question to which his hon. Friend referred.

MONUMENT TO VISCOUNT PALMERSTON.—REPORT.

Answer to Address [23rd February] *reported*, as follows:—

I have received your Address, praying that I will give directions that a Monument be erected in the Collegiate Church of Saint Peter, Westminster, to the memory of the Right honourable Viscount Palmerston, with an inscription expressive of the public admiration and attachment, and of the heavy loss which the Country has sustained by his death; and assuring Me that you will make good the expenses attending the same.

And I shall give directions in accordance with your Address.

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION).—LEAVE.

MR. H. B. SHERIDAN moved for leave to bring in a Bill to compel the directors of railway companies to provide efficient means of communication between the travellers by and the guards in charge of railway trains. He said, he need not then trouble the House with more than one or two observations as it would be more convenient to take the discussion on the Bill after it was printed. Such a communication as that which his measure contemplated was not only necessary, but it had been adopted in France, and was found perfectly practicable. The Bill provided a penalty for the wanton use of the means of communication. It might be necessary to exclude from the operation of the Bill short journey trains stopping at every station and the metropolitan railways. The question whether the means were proper and efficient would be left to the Board of Trade. The President of the Board of Trade, he believed, thought it would be better if the Bill, after receiving a second reading, were referred to a Select Committee. If that course were taken, the details of the measure might easily be settled by the Committee in two or three days.

MR. MILNER GIBSON said, he had no objection to the introduction of the Bill, but must reserve his opinion as to particular clauses.

Motion *agreed to.*

Bill to compel the Directors of Railway Companies to provide efficient means of communication between the Travellers by and the Guards in charge of Railway Trains, *ordered* to be brought in by Mr. HENRY B. SHERIDAN and Mr. HARDCASTLE.

COLONIAL GOVERNORS (RETIRING PENSIONS) ACT AMENDMENT BILL.

LEAVE.

MR. BAILLIE COCHRANE moved for leave to bring in a Bill to amend an Act passed last Session, called "The Colonial Governors (Retiring Pensions) Act." He said, that without trespassing at any length on the attention of the House, he wished to point out those features of the Act of last year which rendered that measure, although introduced by the Colonial Secretary with the very kindest and best intentions, perfectly useless. That right hon. Gentleman's Bill bestowed pensions on Colonial Governors who had served for eighteen years, and who were sixty years of age; but no gentleman who had served in the colonies in any other capacity than as Governor was allowed to count the time during which he had resided there. Now, these conditions made the measure inoperative. In the first place, there were not two instances of Governors who had served for more than or even for eighteen years. A Colonial Governor was appointed for a period of six years; it was by the greatest possible interest and favour that he ever obtained three governments; and even if he received three governments, it very rarely happened that he served the whole six years in each. Again, assuming that a Governor was appointed at thirty, and that he had the good fortune to hold three governments in succession for the full terms, he would come home at forty-eight; but under the right hon. Gentleman's Act he would have to remain without any pension whatever for twelve years, until he was sixty. He might die of starvation in the meanwhile. It was a great hardship not to allow these gentlemen to count other Colonial service besides that rendered by them in the capacity of Governor. Without mentioning names, one instance in proof might be quoted. A gentleman of great distinction and consideration had served in different capacities in the colonies from 1827 to 1847. In the latter year he was appointed as Governor of an important colony, and he filled the same post in different parts of the world from 1847 to 1861. Thus he had acted in the colonies as Governor for fourteen years, and for twenty years before that he had served in the colonies in other capacities; yet he was not entitled to more than a trifling pension. The Bill which he now asked permission to introduce was one of a very moderate character. It reduced the time of service three years—from eighteen years to fifteen—which rendered the condition as to three governments a practical one. It also gave the pension to any Governor the moment he was entitled to it, unless he received other employment; and it permitted these officers to count all the time during which they had been engaged in the Colonial service. It was to be hoped that the right hon. Gentleman (Mr. Cardwell), having seen the working of his Act, or rather how little use it was, would not only assent to the introduction of that Bill, but to its passing into law. Since last year there had been a great change in regard to the position of Colonial Governors. Last year he had urged on the House the importance of the duties of those officers, how they ought to be supported by the Home Government, and that justice should be done to those men who devoted their time and their energies to the service of their country in distant lands. Events had since transpired which must have impressed upon the House the great importance and the heavy responsibility attached to those posts. During the discussions of last year some hon. Gentlemen treated lightly the position of Colonial Governors, spoke of them as being, after all, unimportant, as being given to half-pay officers who were not capable of filling great situations. The recent occurrences in Jamaica, in Victoria, and in North America showed how very mistaken was such a notion. Gentlemen were sent out to these posts to represent their Sovereign, with the possibility of having their conduct violently assailed while they were doing their best, and their characters blasted by the ignorance or the malevolence of parties at home. And yet, after they had served their country under such circumstances for fifteen or sixteen years, they would not receive the most trifling pittance on their return. The salaries of those gentlemen, who had to represent the Sovereign, were not sufficient to enable them to make a future provision for their families or to insure their lives, a thing which, by the way, could only be done in such climates at very high rates. The Chancellor of the Exchequer, as he had understood, had last year thrown some obstacles in the way of a more satisfactory settlement of that question; because at one time, he believed, it was proposed that other Colonial service besides that rendered as Governor was to be allowed to count, but the Chancellor of the Exchequer would not sanction it. Whether that had been the fact or not, it was to be hoped that the right hon. Gentleman would think better of it now, and, giving to that matter the fair consideration which the justice of the case demanded, would allow the present Bill not only to be brought in, but to pass. The hon. Gentleman concluded by moving for leave to introduce the Bill.

MR. CARDWELL said, it was not his intention to offer any objection to the introduction of the Bill; but he must suppose that his hon. Friend would take proper care so to arrange the measure as to make it accord with the rules of the House when he did introduce it. The Bill of last Session had met with greater favour with Colonial Governors than his hon. Friend was aware of. He could not admit that it had been entirely inoperative, because it appeared from the papers which had just been laid on the table that seven Colonial Governors had already received well-merited pensions, so that instead of the measure being considered valueless it had been properly appreciated. He thought it would be better to postpone the consideration of the provisions of the Bill of his hon. Friend till the House had had an opportunity of seeing it. His hon. Friend understood the great difficulty everybody had to encounter with a Bill of this kind, and he could not hold out any encouragement that Her Majesty's Government, who had given much consideration to the subject, were prepared to depart from the arrangement made during the last Session of Parliament.

Motion *agreed to*.

Bill to amend an Act passed in the twenty-eighth and twenty-ninth years of Her present Majesty, intituled "The Colonial Governors (Retiring Pensions) Act," *ordered* to be brought in by Mr. BAILLIE COCHRANE and Mr. CAVE.

METROPOLITAN LOCAL GOVERNMENT, &c.

SELECT COMMITTEE MOVED FOR.

MR. AYRTON said, he should not be justified in troubling the House with many observations, because statements had already been made in the House bearing on the conclusion at which he wished to arrive. But he felt it necessary to make a few remarks in order to prevent any misapprehension respecting the motives and objects which he had in view. It was easy to suggest a theory for getting rid of all inconveniences which annoyed the inhabitants of the metropolis, but when the subject was considered practically it was beset with considerable difficulties—not the least of which was the immense magnitude of the undertaking. They had to deal with an area larger than that of any other city—some 70,000 acres, with a population approaching 3,000,000, occupying 360,000 houses. The value of the property at stake could only be measured by its rateable value, which amounted to £13,000,000. The real annual value was probably not less than £15,000,000. It was not easy to grapple with such a state of things, but the difficulty was increased when it was known that for 200 years the metropolis had been allowed to grow up and govern itself in the manner which accorded most with the views of the various local bodies. The result was a most extraordinary chaos. Everything connected with local government had degenerated into abuse. The interests of the community were sacrificed for the benefit of private individuals. It was in this state of things that Lord Llanover undertook the task of establishing municipal institutions for the metropolis. The House must be struck with the great ability he manifested. It was open to Parliament at that time either to let the metropolis be governed Imperially and to set up prefects, after the manner of Paris and other continental cities, or to establish bodies more in accordance with our own Constitution and the municipal institutions of the country. The latter course was adopted. Parliament determined to establish a municipality adapted as far as possible to the peculiar circumstances of the metropolis. He did not think the House would be disposed to recede from the conclusion at which it then arrived. But Lord Llanover, contemplating the difficulties of his position, was compelled to show some deference to opposite opinions, and arrived at conclusions in the nature of a compromise. Instead of giving full scope to municipal institutions he passed a measure containing many peculiar qualifications, and amongst others he reserved to the Government the power of controlling the chief municipal body. By taking that course the worst of all possible systems was established—that of divided responsibility. In the first effort made by the Board the Government attempted to interfere, a collision between the Government and the local authorities ensued, and the result showed the disastrous consequences arising from such a state of things. Lord Llanover was led by speculative individuals into proposing a draining scheme, the estimated cost of which was from £7,000,000 to £11,000,000. The Metropolitan Board, taking a common-sense view of the matter, were satisfied with a scheme, the estimated cost of which was about £3,000,000. The right hon. Member for Buckinghamshire (Mr. Disraeli), who was then in office, adopted the wise course of declining to interfere in the municipal affairs of the metropolis. He committed the whole affair to the responsibility of the Metropolitan Board, and repealed those portions of the Act which established any control over their proceedings. The Board had carried out their plan at a cost, owing to the rise in prices, greater than that originally proposed, but at about one-third of the cost of the speculative scheme suggested by the Government. Since the adoption of that scheme by the Metropolitan Board an instance of divided administration had been seen in the setting up by the Government of a scheme of embankment. Instead of adhering to the wise policy of the right hon. Gentleman the Member for Buckinghamshire, a noble Lord present on the Opposition side of the House (Lord John Manners) again interfered, and proposed a scheme for the embankment of the Thames. It was a most ill-considered scheme, in which grave errors existed. The Government, unfortunately, had not to pay the money required from the public revenue, but from local resources. Government did not seem to be impressed with a due sense of the responsibility connected with the undertaking. At the time he (Mr. Ayrton) pointed it out as an ill-considered plan, that streets had been laid out which never could be made, that certain bargains had been made with influential noblemen, and that these bargains would be set out as schemes which had been sanctioned by Parliament, and that it would be impossible to carry out the plan—and yesterday he was sorry to say he had seen all his predictions fulfilled. The Metropolitan Board, not being allowed to proceed, had no responsibility. They accepted the measure of the Government, causing an absolute loss to the metropolis which could only be measured by hundreds of thousands of pounds. He hoped this result would warn the Government against making themselves responsible for local self-government. However much individuals might depreciate the position of those who undertook the task of local self-government, yet in the end they were found to be people of common sense and sound judgment, and better able to deal with the subject than some persons who were intrusted with the dignity of Ministers of State. In submitting his Motion to the House he had no intention of departing from the principle of local government recognized by it at first, and afterwards sanctioned by the Administration of Lord Derby. Undoubtedly the task set the municipality was one of great and increasing magnitude and difficulty. No sooner was a great municipal body established than wants, which had been long neglected, were brought under the consideration of the House. It found that the easiest mode of dealing with them was to hand them over to the Metropolitan Board. From Session to Session grave duties and serious responsibilities had been imposed upon the board. Therefore, it was that the Metropolitan Board and the subordinate boards, although well suited to the duties first imposed on them, were not suited to many of the duties which they now had to discharge. He felt this difficulty so much, that five years ago he moved the appointment of a Select Committee, which investigated many questions of great importance, but nevertheless its labours came to a close at the end of the Session. He did not complain of the result of the labours of that Committee. On the contrary, it disposed of some important matters, and the metropolis derived great benefit from its labours, not the least of which was to place on the Metropolitan Board and the local boards the duty of protecting the inhabitants from railway invasion, instead of throwing that responsibility on individuals. He would not enter into any minute examination of the recommendations of that Committee, or the extent to which those recommendations had been carried out. But the growing extent of the duties of the Metropolitan Board rendered it necessary to take up the subject again, in order to arrive at some satisfactory conclusion with respect to the improvement necessary to enable them to perform the duties devolving upon them. That would be the first object of the Committee. The next object would be to inquire into the taxation of the metropolis, and that inquiry would not be prosecuted without difficulty. It was easy for a board to improve the metropolis provided they had an unlimited supply of funds; but the people of this metropolis were unwilling to be taxed for the gratification or caprice of other persons, and there was a steady resistance to the attempts to impose large sums in the shape of local taxation. The Metropolitan Board, wherever it was charged with any dereliction of duty, or want of zeal in carrying out improvements, invariably stated that they had not sufficient resources at their command, and that the local taxation was so extremely heavy that it had reached its utmost limit. That statement was to a considerable extent correct. The total amount of local taxation in the metropolis amounted to upwards of £2,500,000. That was no inconsiderable sum, but if it were thought necessary to gratify the desires of some hon. Members and of some scientific gentlemen out of the House, especially those who dedicated themselves to the cultivation of art, it was impossible to say to what extent local taxation would be necessary. The taxation of the metropolis was twofold—direct and indirect. Nothing could be more inconvenient, or in the end more disastrous, than to allow local boards to raise money by indirect taxation, because by that means they obtained large resources without making the expenditure at once and directly felt by the community. The advantage of direct taxation in local government, on the contrary, was immense, because the ratepayers were thus made alive to the expenditure, and were induced to look after their own interest. The direct taxation of the metropolis was upwards of £2,000,000. The indirect was comparatively small, but it was of a most pernicious character, and entirely at variance with the principles laid down with respect to the general taxation of the country. A few years ago a treaty was entered into not to levy a duty on coals exported to France, and yet a duty was levied on coals imported into London, and used for all the manufacturing industry of the metropolis. It was impossible to conceive a state of things more anomalous or ridiculous. If there was an evil in indirect taxation, it was still worse to anticipate it by loans, and make them chargeable not only on the year, but to mortgage them for many years to come, thus throwing the burdens on the future. That was a state of things which the House ought not to sanction without some cogent necessity. It became, therefore, the duty of Parliament, when a demand was made by the Metropolitan Board for increased revenue by additional taxation, to inquire into its proceedings, its necessities, and its true resources. It was necessary to examine the question of taxation, and to see whether it was levied in a manner consistent with justice. If the result should be that indirect taxation could not be upheld, then the resources necessary must be raised by some other mode. He did not think it necessary to enter into the details of the question, as he should thereby be anticipating the purpose he wished to accomplish by the appointment of the Committee. Suffice it to say, that as the Metropolitan Board was pressing forward improvement Bills, the Committee might feel it their duty at once to enter into an investigation of the means by which those improvements might be carried into effect, and he trusted that its labours would lead to the solution of a question of considerable difficulty. Having given a sufficient explanation of the objects which he had in view, he would abstain from touching on any of those topics of irritation which were sometimes introduced. He did not think any good could result from abusing classes or individuals, and he hoped the hon. Members would believe that the classes who undertook the duty of managing the affairs of the metropolis were entitled to as much consideration and respect as the class who happened to sit in that House. He made this remark because he had recently heard observations which he thought ought not to have been made, and he thought when anybody undertook to attack vestrymen they should know something about their capacity and their qualification. He was all the more surprised that anyone should decry such a class after delivering a speech which was the reproduction of a pamphlet written by a vestryman, scarcely adding a single observation of his own. The hon. and learned Member concluded by moving for a Select Committee to inquire into the Local Government and Local Taxation of the Metropolis.

Mr. TITE said, that he seconded the Motion. No one could doubt the Metropolitan Board had effected many important works, but they were now before Parliament for three, all of great value to the public—namely—1st, the approaches to the Thames Embankment; 2nd, the Park Lane improvement; and 3rd, the continuation of the Thames Embankment, and consequently the great road to Chelsea. These were undoubted necessities. But the difficulty the Metropolitan Board had to contend with was that morally, although not legally, the taxation which fell upon the occupiers was so heavy that it could be carried no further. For instance, in Chelsea a £20 house was subject to a rating of £5. It had been suggested that the coal tax should be continued, or, again, that an improvement rate should be imposed; but, be that as it might, some resources must be found beyond the present rates, or further improvements in the metropolis must be suspended. He trusted the appointment of the Committee would not have the effect of delaying the measures which the Board thought necessary to meet the emergency of the case. The justice of a rate was, however, to be measured by its uniformity; and he should like, while upon that subject, to refer to some Returns with regard to metropolitan assessment for 1864 which had been moved for by the hon. Member for Lambeth. From those Returns he found that some most extraordinary inconsistencies prevailed. In Chelsea, for instance, with which he was best acquainted, he found the state of things to be this that under Schedule A the return of the value of property, land and houses, was £290,000 per annum, while the police rate was £240,000, the county rate £234,000, and the poor rate £229,000. Taking the great parish of St. George's, Hanover Square, he found the property was rated under the property tax under Schedule A at £1,365,000; the police rate being

£964,000, the county rate £943,000, and the poor rate £920,000. The proportion in these two instances, therefore, was very much the same. He next came to the great inconsistencies of the system. In St. Pancras the return under Schedule A gave the sum of £3,818,804; the police rate being only £864,000—not much more than one-fourth—the county rate £800,000, and the poor rate £820,000: the disproportion here was inconceivable and unaccountable. Again, in the parish of Paddington he found the rating under Schedule A to be £2,400,000; the county rate was only £526,000, the police rate was £588,000, and the poor rate £607,000, or not much more than 25 per cent upon the income tax. In the City of London the inconsistencies were not so great, but they were exceedingly great even there, and showed the necessity for some inquiry. With regard to the constitution of the Metropolitan Board, the system was devised by Lord Llanover; it had worked well, and it had been in existence long enough to furnish a reasonable amount of experience. Both the vestries and the Metropolitan Board of Works would welcome inquiry. The Board stood well for what it had done. Although composed of men in a comparatively humble position of life, it had displayed ability in the conduct of business, and it had carried out great works to the satisfaction of the public and of the House of Commons. He supported the Motion for inquiry, thinking that it would be useful, and he hoped that the inquiry would be specially directed to matters that bore upon such uniformity of rating so that each person might bear his fair share of the burdens of the State.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the Local Government and Local Taxation of the Metropolis."—(*Mr. Ayrton.*)

LORD ROBERT MONTAGU said, he had ventured on Monday to remark that no metropolitan Member could touch this subject without danger of either offending his constituents or sacrificing his conscience. He presumed that the fear of offending his constituents had led the hon. Member to adopt a course which good taste might have induced him to disapprove. In disregard of a rule of debate, the hon. Member had quoted his speech of last night, and alluded to himself, although not by name, telling him that he was not to abuse individuals. The hon. Member had, however, shown how he could bepraise certain individuals; his enemies might say indeed that he had fawned and cringed to them; the hon. Member had also seized every opportunity of throwing dirt upon the leaders of his own party. After a long and rambling disquisition, consisting of argument without point, and a labyrinth of topics without any definite object, the hon. Member had drawn the conclusion that the House ought to be warned against allowing the Government to have anything to do with the management of the metropolis and the constitution of the Metropolitan Board of Works. He praised the Opposition side of the House, and cast dirt upon the Ministerial side, in a manner which might be expected from an individual who had not attained the object he desired, and who was smarting bitterly under some recent disappointment. The hon. Member spoke as the representative and champion of metropolitan vestrymen. If he had defended merely those of the Tower Hamlets, the defence might have been accepted as an electioneering speech, such as they all sometimes indulged in; but he had said not a word about them. He travelled to St. Pancras, in the constituency of Marylebone, and confined himself to an apology for them: they being the only individuals to whom he (Lord Robert Montagu) had alluded. His (Lord Robert Montagu's) own case rested on the letter of Dr. Horace Jeaffreson, which had appeared in *The Times*, exposing the procedure, conduct, and language of London vestrymen. The hon. Member would find that he had no rival in the House who would desire to ingratiate himself with the vestrymen and appear as their proper and duly qualified representative. Any one who read of the way in which they hindered a sanitary officer from removing certain fever dens which had scattered death far and wide would not think the hon. Member's speech had added a new laurel to his brow. His speech of yesterday, the hon. Member said, was a plagiarism from a pamphlet by a vestryman. He had seen one pamphlet from which he had copied a few figures, and several omissions were supplied to him at the offices of the Metropolitan Board, where he was furnished with a complete list of metropolitan jurisdictions. But no other pamphlet or production on the subject had fallen in his way. He knew it would be useless to appeal to the Home Secretary, who had already promised to support the Motion. The hon. Member had said that Lord Llanover, backed up by a Commission on which Sir George Lewis sat, and by a powerful Government, was forced into a compromise. But was the hon. Member for the Tower Hamlets backed up by a Government on which he had attempted to cast dirt. Was he supported by a Commission? Would he not, too, be forced into a compromise which might perhaps be still more ignoble? The hon. Member had also said that Lord Llanover, who was a hard working official, was led away by speculative individuals; and had not the hon. Member himself in the last Parliament been led away by speculative individuals, particularly in reference to Metropolitan Bills? [Mr. AYRTON: What Bills?] Against the Sewage Bill for instance. If the Committee which had investigated this subject five years ago and had acquired much information was unable to agree upon any measure, what reason was there for supposing that a Committee given to the hon. Member now would be more successful? Was not the want of success of a former Committee an argument against appointing a new one, particularly as local jurisdictions had become more important than they were formerly, and more able to resist a searching inquiry? Not content with grappling with a difficulty which was proved to be insurmountable before the hon. Member had complicated it by adding the question of direct or indirect taxation, which alone would be enough for any Committee of ordinary men. The ordinary rule in these cases was to appoint a Committee to ascertain facts; and when these had become known then a Royal Commission was generally appointed to devise a measure which would meet an acknowledged difficulty. Thus there had been Committees and Commissions upon Poor Law and Rivers' pollution. Last year, moreover, the Secretary of State said it was not necessary to appoint a Commission upon this subject, because the House had long been cognizant of the facts, and yet the right hon. Gentleman assented now to the appointment of a Committee to acquire this knowledge. The truth was the right hon. Baronet desired to postpone the evil day; he was afraid, and he therefore displayed the hesitation which he lately did in the question of the cattle plague. The proper course would be to appoint a Commission who could make available the information already obtained.

MR. CRAWFORD said, it was not his intention to enter into the matters at issue between the hon. Member for the Tower Hamlets and the noble Lord. He only wished, as one of the representatives of the City, to say, as the City authorities were generally supposed to be at issue with the Metropolitan Board of Works, that they would interpose no difficulty in the examination of any matter having reference to the government or local taxation of the metropolis, but would be ready to afford the Committee all the assistance in their power.

SIR GEORGE GREY said, that the feeling of the House seemed to be in favour of the contemplated inquiry. He regretted that personal matters had been introduced in the debate, but he thought that a sufficient case had been made out for inquiry by a Committee. The noble Lord seemed to differ from the hon. Member for the Tower Hamlets only in this, that he thought a Commission would be better than a Committee. But it appeared to him that a Committee of the House of Commons was very competent to deal with this question, particularly when they took into consideration that Members from different parts of the metropolis might be very useful in the course of the inquiry, There was only one other observation which he wished to make, and it was with regard to the Bills promoted by the Metropolitan Board of Works. He understood the hon. Member for Bath (Mr. Tite) to say that it was desirable to interpose as little delay as possible in the prosecution of those Bills, and that, therefore, the inquiries of the Committee might be directed in the first place to the question of taxation without waiting for the general Report to say by what funds those improvements might be carried out. It was very desirable to interpose no unnecessary delay in the way of those Bills, and with that understanding the Government were ready to assent to the proposition of the hon. Gentleman.

MR. LIDDELL said, he would not have risen but for certain observations which he had heard with some apprehension, and coming from the quarter they did, that apprehension was by no means diminished. He referred to what had fallen on the question of taxation from the hon. Member for Bath (Mr. Tite), who held a responsible position in that House. Now, he felt it his duty not to let this matter go further without at once expressing a very earnest hope that neither a Committee of that House, nor that House collectively, would approve what the remarks of the hon. Member led him to think the Metropolitan Board of Works were hankering after—namely, a continuance of the coal tax for metropolitan improvements. The hon.

Member pointed out that the limits of the ordinary taxation of occupiers in the metropolis had been almost exceeded—that it had got to a point beyond which it would not be safe or politic to advance. Now he, as a ratepayer of the metropolis, fully endorsed that statement. Those metropolitan improvements might be very useful and valuable to certain classes, but they were of no benefit whatever to others. They might benefit those who had great shops, and whose traffic filled our streets—they might benefit the wealthier classes. But it behoved the House to remember that if they sanctioned this unnecessary interference with the homes and habits of the poor, they should be very cautious not to touch their pockets in doing so. The increase of the coal tax had not unfrequently been made a pretext by the retail dealer for an advance in the price of this necessary article, and that in a degree far more than commensurate with the amount of the duty. Coal, as fuel, in the metropolis was an absolute necessary of life, and there was no impost to which he understood there was a greater objection, because it was in fact an "Octroi" duty levied in its worst form. He might be supposed to speak in the interests of the coal producer, but he was quite alive to also those of the consumer. He was quite ready to submit to the House of Commons that this tax ought to have expired already, but it had been mortgaged for the benefit of the metropolis, and he hoped that this mortgage would not be allowed to continue beyond its present limits.

MR. HARVEY LEWIS said, he entirely agreed with every word which had been said in condemnation of the coal tax. It pressed very heavily on every consumer in the metropolis, but particularly on the poorer classes. They were all aware that the moment a tax was put upon any article of consumption the retail price rose more in proportion, and this was especially true of the coal tax, which he trusted no attempt would be made to perpetuate. With regard to the Committee moved for by the hon. Member for the Tower Hamlets, it was in his opinion calculated to do a great deal of good, and if its attention was directed to the taxation of the metropolis it might be found that those who had the strongest interest in metropolitan improvement were in reality most free from taxation. In point of fact the taxation fell principally upon the occupiers of the metropolis, while the freeholders, who derived immense revenues from their property, scarcely paid anything. That was a matter which ought to be looked to. Every improvement benefited to an enormous extent the owner of the property, and he ought, therefore, to pay in proportion. There was a strong feeling in the metropolis that the duty upon hackney carriages, which did so much injury to the streets and created a necessity for such extensive repairs, ought to be applied to the improvement of the metropolis, instead of being diverted into the Imperial Exchequer. He would make no suggestion on that point, but the general feeling was as he had said. The hon. Member for Bath had referred to the extraordinary discrepancy between the rating under Schedule A of the parish of St. Pancras, amounting to £3,000,000, and that of the wealthy parish of St. George's, Hanover Square, which was not above a million. But the explanation of that was to be found in the fact that the three great railway termini and canals, all subject to heavy rating, existed in St. Pancras. The same observation would apply to Paddington, where the Great Western had its terminus and the Metropolitan had a station, and where canals also existed. This fully accounted for the apparent disparity.

LORD ELCHO said, with regard to the general questions before the House, there were few which required more careful inquiry than the local management and general taxation of the metropolis. But there was another subject upon which he wished to say a few words, and that was with regard to the comforts of the poorer classes. One would have imagined from what had passed that up to the present Session no one had ever taken into consideration how public improvements, whether in the shape of railways or others, might affect the working classes of this city. Now, it was only due to Parliament to say that a Standing Order—No. 91, made in 1865—of the House of Lords required that—

> "In the case of any Bill for making any works requiring compulsory powers for taking houses occupied wholly or partially by tenants or lodgers, the promoters should be obliged to deposit in the office of the Clerk of the Parliaments by a certain day a statement of the number, description, and situation of such houses, the number of persons to be displaced, and whether any or what provisions were made in the Bill to remedy the evils of such displacement."

He would be extremely sorry to say anything that would appear to depreciate the efforts made in that House by the hon. Member for Lambeth (Mr. T. Hughes); but he, at the same time, thought it only fair to read the Standing Order; and, by so doing, show that the attempt to protect the rights of the poor was first made by the other House. He hoped that the House of Commons would adopt a provision similar to that unanimously adopted by the House of Lords, and that in any Bills introduced by the Metropolitan Board of Works care would be taken to insert clauses to make some provision for the poor deprived of their dwellings for the purpose of making improvements.

Mr. LOCKE said, he was sure that when this subject was before the House yesterday, the noble Lord who had just sat down was not aware of the existence of the Standing Order which he had read. For his own part he considered that Standing Order to be a very desirable one, and he hoped that it would be adopted by the House. Until the noble Lord read the Standing Order he did not know that any definite action had been taken in the matter, although he was aware that much discussion had taken place, and that during the course of last Session Lord Derby had frequently urged on the House of Lords in the strongest terms the necessity of protecting the poor by preventing their dwellings being destroyed by railway companies. Improvements must be made, but the House should take care that as little harm as possible should be done to the working classes. The question of providing proper dwellinghouses for poor persons whose residences had been destroyed by railway companies was one of the greatest difficulty, for the inhabitants of many of the metropolitan parishes objected, in the strongest terms, to dwellings for the labouring classes being built within the limits of their parishes. They did this because they feared that if the labouring classes settled in their parish some of them would finally become chargeable to the parish rates. This difficulty would be obviated if a scheme which he and the hon. Member for the Tower Hamlets (Mr. Ayrton) had often advocated in that House was adopted —namely, the equalization of poor rates throughout the metropolis. If that system was adopted, the rate would not press too heavily on any parish; if, for instance, at present there was to be a uniform rate in all the metropolitan parishes it would amount only to 1*s*. 6*d*. in the pound. At present the richest parishes were the lightest taxed, the inhabitants of the parish of St. George's, Hanover Square, for instance, only paying a rate of 6*d*. or 7*d*. in the pound. That would be raised, but the equalized rate would be no burden. He thought that it was not fair to expect the working classes to live together in suburban villages; like the rest of the world, they ought to be allowed to live where they wished themselves. If an equal rate throughout the whole area were adopted there would be no longer any disposition to discountenance the erection of dwellings for the working men in any part of the metropolis. Such dwellings should be built where the necessity for them arose, and the working men would not be sent out to suburban places, perpetuating the highly objectionable practice of placing together persons all of one class.

Sir FRANCIS GOLDSMID said, that up to this time the Standing Order which had been adopted by the Lords had had no practical results, save the introduction of two clauses into three Railway Bills compelling the companies to run cheap trains for the benefit of the labouring classes. He hoped that if the House of Commons adopted a Standing Order, intended to prevent the destruction of houses of the poor by railway companies, they would not adopt one similar to that passed by the House of Lords. If they did, they would find that their Standing Order would prove almost entirely useless for the purpose intended. With respect to the erection of dwellings in the neighbourhood of those pulled down the Standing Order had no effect whatever. He hoped that if the House passed a Standing Order on the subject it would be of a more stringent character than that which had been adopted in the Upper House.

Lord JOHN MANNERS said, he regretted to hear the hon. Member for Northumberland (Mr. Liddell), and the hon. Member for Marylebone, express a hope that the Committee which had been consented to by Her Majesty's Government would pass by a certain point of taxation which would be brought before them. The question of metropolitan taxation was of the greatest importance, and he considered that the Committee ought to inquire into every possible source of local rating, in order that they might thus, if it be possible, discover some means of reducing the present high rate of taxation. He hoped that the Committee would fully inquire into these matters, and would do everything in their power to place the metropolitan taxation in a more satisfactory position than it now occupied, making the expenditure press as lightly as possible on the poorer ratepayers.

Mr. AYRTON said, in reference to what had fallen from the noble Lord (Lord Robert Montagu), that the noble Lord seemed to imagine that he imputed blame to Lord Llanover. He did nothing of the kind. On the contrary, he had spoken with the greatest respect of the noble Lord, and had only regretted that he was compelled by the difficulties which beset him to undertake a course of which he was sure his Lordship did not himself approve. All he had done was to show that with a divided administration the work had not gone on satisfactorily. He had deprecated the introduction of any personalities into the debate, and he had asked hon. Members not to abuse the vestries, and the result of his doing so was that the noble Lord abused him instead. The value of abuse always depended on the weight generally attached to the opinion of the person who used it, and he did not therefore much mind the language that had been used towards him by the noble Lord. *Laudari a laudatis* was an old maxim, and he supposed that the reverse also held good. The noble Lord had made against him one very serious charge. He had charged him with having used his Parliamentary influence to obtain the passing through the House of a Bill connected with the sewage of the metropolis. Now, there never was made against any man a more unfounded charge, and there was no one who ought to know that fact better than the noble Lord himself. So far from assisting in passing the Bill, he had opposed the concessions made to the promoters as injurious to the public interests. When the Bill was before Committee he then urged that the concessions that had been made to the promoters ought not to have been made. He was defeated in Committee, and he then brought the matter before the House, and succeeded in having the decision of the Committee reversed and the concessions withheld. Such were the simple facts of the case, and yet the noble Lord charged him with endeavouring to get passed a Bill the most important concessions in which he had, in the interest of the public, most strenuously opposed. He certainly had prevented the noble Lord from sitting upon that Committee, and he was sure that was not prejudicial to the interests of any one. Having set right the only fact alluded to by the noble Lord, the House could now understand what the noble Lord's explanations and opinions were worth; but for his part he did not think them worth notice.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the Local Government and Local Taxation of the Metropolis.—(*Mr. Ayrton.*)

And, on March 7, Select Committee *nominated* as follows:—Mr. Ayrton, Mr. Tite, Mr. Bazley, Mr. Locke, Mr. Alderman Lawrence, Mr. Baring, Mr. Mill, Mr. Hanbury, Lord John Manners, Mr. Beecroft, Mr. Turner, Sir William Gallwey, Sir Matthew White Ridley, Mr. Sandford, and Mr. Kekewich:—Power to send for persons, papers, and records; Five to be the quorum.

EAST INDIA COMMUNICATIONS.

SELECT COMMITTEE MOVED FOR.

Mr. CRAWFORD said, he rose to ask the House to consent to the appointment of a Select Committee for the purpose of inquiring into a subject of great and general interest among the commercial classes—namely, the practical working of the present systems of telegraphic and postal communications between this country and the East Indies. He would have been glad if the concurrence of the Government had enabled him to make the Motion as an unopposed one; but he thought it no slight thing to ask the House to lend the weight of its authority to an inquiry of this nature at any period, and especially at the present moment, when so many Members were called on to sacrifice their time in attendance on Election Committees and in the disposal of a very large amount of Private Bill business. Among the many remarkable circumstances which characterized the present day, none was more remarkable than the marvellous development of the commerce of this country during the last few years. This result had been ascribed to various circumstances—to the discovery of gold, to free trade, and other causes; but, in his opinion, nothing could be said to have more led to the promotion of the commerce of this country than the application of the science of the country to extend communication with foreign nations by means of steam navigation and the electric telegraph. Without entering on a disquisition more suitable for a lecture-room than for the floor of the House of Commons, he would content himself with adverting to a few facts connected with commerce, for the purpose of showing the great interest which the trade of this country with the East Indies had in the subject. That trade formed an important part of the whole trade of this country. In 1864, the last year for which we have official accounts in a complete form, the commodities imported into this country amounted in value to £275,000,000, and the commodities exported to £212,500,000. Of the goods imported India supplied no less than 20 per cent, and Ceylon, Singapore, China, Japan, Australia, and the Mauritius supplied 11 or 12 per cent in addition; so that that portion of the world which was the subject of his Motion supplied no less than one-third of the whole of the imports. In the case of exports, out of the total of 212½ millions those countries took no less than forty-two millions sterling. It might also be important to see what was the description of the goods imported. Of the goods imported from those countries, there had been received no less than £38,000,000 in value of cotton, more than £9,000,000 of various other goods, which entered into the manufacturing industry of this country, and £2,500,000 of articles of food, rice, sugar, tea, coffee, &c. The proposition he submitted to the House was that it was essential not only to maintain the present means of communication between this country and the East Indies, but to push to the utmost the advantages which telegraphic communication afforded. Our trade was now carried on in a manner very different to that which formerly prevailed. The telegraph had almost superseded the post, which had become subsidiary and ancillary to the telegraph, and no important transactions were entered into which were not now communicated by telegraph. In relation to the trade with India it was the custom when goods were shipped for telegraphic information to be sent of that fact. On the receipt of the bill of lading, if the market were favourable, the goods were sold while on their way to their destination, and by that means the shipper was relieved from a great part of the risk, and was therefore content to receive less than he otherwise would accept, and as the element of risk entered largely into the cost, the public were enabled to obtain the goods at a reduced price. That was one of the advantages derived from telegraphic communication; but certainty and rapidity in the delivery of the message were absolutely requisite. The information should be correct and of recent date; but he regretted to say that at present the telegraphic messages between this country and India were most incorrectly rendered. Since the period when he gave notice of his Motion he had received hundreds of letters complaining of the length of time occupied, with the exception of within the last few days, in the transmission of the messages, and of the incorrect manner in which they were rendered. He would state a few facts, which would show also in what a remarkably absurd manner the business of the country was treated by the companies to which we confided these telegraphic messages. A mercantile house in Liverpool sent a message in September last to India, as follows:—"Contract for 1,000 bales of cotton"—of a particular description, the value of which was about £20 a bale, and thus the transaction represented a sum of £20,000. The message received in India was "Contract for 21,000 bales," and thus, instead of £20,000, the amount involved was £400,000 more than that sum. Another order sent was, "Buy 500 bales at 12*d.*"—meaning, of course, that the highest limit at which the agent was to buy was 12*d.* The message delivered was, "Buy 500 bales at 20*d.*," making a very considerable difference in the price. Indeed, it was well known in the City that the cause of the failure of a mercantile house which took place about sixteen months ago was a telegraphic blunder of this kind. An order was sent to Egypt to buy 500 bales of cotton, and, pursuant to the message as delivered, 5,000 bales were bought, and the house was unable to meet the sum due upon this large purchase. He had been particularly requested to mention other cases which had been forwarded to him from the Chamber of Commerce at Madras, involving similar mistakes. The most ridiculous of all the mistakes in the translation of messages was one that happened to himself during the time the messages were forwarded by way of Italy. He had occasion to send a message to a gentleman in India to the effect that the news from America was to the 10th of the month, and that cotton was in favour of holders. The translation was—"News from America to the 10th—a savour of soldiers." Of course his correspondent did not know what it meant. What our trade required was rapidity and accuracy in telegraphic communication with India. He did not speak boastfully, but he might state that he himself spent £3,000 a year in sending telegraphic messages to India, the greater part of which he recovered from his correspondents, and this amount was probably less than that paid by many others. He might send a message either through the office of the Electric Telegraph Company or that of the Submarine Company. If he sent it by the former, the message was forwarded to Berlin or Frankfort, thence to Vienna, Belgrade, Constantinople, to the head of the Persian Gulf, and to Kurrachee, whence it was distributed throughout India by the internal telegraphic system of India. This telegram passed through seven different administrations. If he sent the message by the Submarine Company it went first to Paris, then through the Austro-German union as in the other case, or by way of Italy through Macedonia, Thessaly, and so on to India. The worst of it was that it was impossible to fix these blunders upon any one. Messages sent from this country to India had to pass through Turkey. The mistakes did not occur in London, nor in Germany, or France, but in Turkey. It was impossible to look for any change for the better so long as messages were forwarded through Turkey, by persons ignorant of the English language, and apathetic as to our customs and wishes. As soon as the message got into the Turkish administration it became subject to the treatment he had described. Many representations had been addressed to the Turkish Government in favour of the appointment of English signallers, but no sooner was anything proposed for the benefit of England than France and Russia became jealous and interposed to prevent it. He had no doubt that if France or Russia asked for anything, England would be equally jealous, and he was assured that it was hopeless to expect any improvement as long as these national jealousies existed. A petition had been presented the other day by the hon. Member for Glasgow from the Bombay Chamber of Commerce, which showed that the telegraphic communication with India had an enormous substratum of business. It was stated that during the seven months from May to November, 1865, there had been 16,462 messages passed to and fro on the line between India and England and the Continent of Europe, of which only 82 were Government messages. The sum received for their transmission was about £51,500, being nearly at the rate of £100,000 per annum for the Mekran portion of the line belonging to the Indian Government. The charge for a message of twenty words from this country to India was £5 1*s*., of which the Submarine Company only received 2*s*. 6*d*., and the Electric Telegraph Company 3*s*. 6*d*. or 4*s*., the remainder being absorbed by the other States and systems through which it travelled. On arriving at Kurrachee, the port of Scinde, and the most westerly town of India, the messages were distributed to the various places of business in India. Until lately the service there was almost as bad as that in the Turkish dominions, but it was now improved. Some knowing people went into the country, and affixing an instrument to the wires brought down the messages. They then sent off men on horseback and sold the intelligence. These persons were apprehended and convicted. When the telegraphic communication with India was carried on by way of Egypt and Point de Galle, some two or three messages were always satisfactorily conveyed. Then it was said the wires were out of order, and no more were transmitted, which, of course, gave a great advantage to those whose messages were sent. Some time ago some gentlemen came to him, as Chairman of the East Indian Railway, and asked if he would consent to an arrangement by which a public company should transmit these messages. It was not the business of a railway company to carry telegraphic messages, and the directors signified their willingness to treat with these gentlemen. They agreed to the terms of the directors, but being a line with a Government guarantee, the directors were unable to act without the sanction of the Secretary of State for India. Their application was sent out to India by the Secretary of State, and when it returned they received a communication that their proposition could not be entetrained. The directors inquired the reasons for this refusal, but the Secretary of State very wisely refused to give any. Why should not this company be established in India for the conveyance of messages along the railway system? A railway was the proper course for the telegraph wires to take. The wires were inspected and could be repaired by every passing train, while the wires of the Government system, passing over mountains and over the plains, could only be inspected by persons employed for the purpose. If the Indian Government intended to set up the principle that the carrying of telegraphic messages in India ought to be in the hands of the Government for political purposes, he ventured to say that the proposition which he should make was deserving of the attentive consideration of the House. In this country the whole of the telegraphic system was in the hands of private companies; but in India the Government, as far as he was aware, intended to institute a totally different system. Now, he thought he subject might fairly be discussed in that House, if the Government defended on such a ground their refusal to allow a private company to utilize for the benefit of India the advantages which railways conferred. He attributed the failure of the existing overland system to the fact that the only line of communication passed through Turkey. As long as we were dependent upon that line alone, it would be hopeless to expect that our communication with India could be satisfactorily maintained. A certain company had possessed itself by a lease from this Government of the exclusive use of the Malta and Alexandria wire, and they had also entered into arrangements with the Italian Government, by which they would be granted the use of a wire through Italy with the privilege of employing English signallers. When all the arrangements were completed the company would be able to carry messages to Alexandria without any of the inconveniences which now existed. The Pasha of Egypt was constructing a telegraph on the banks of the Nile, and it would cross to the Red Sea in latitude 19, where a better bottom was to be found than in the upper parts of the Red Sea. This line would then proceed by way of Aden, and the southern coast of Arabia. In fact, there would be a complete and entire line from England to Bombay in the hands of an English company, who would be responsible to the public for any loss arising from their neglect. He had mentioned the progress which had been made in establishing a different system altogether, and he might remark that the company would require no pecuniary assistance from the Government at all. He wished it to be perfectly understood that he was not stating these particulars with the view of serving the interests of this particular company, and that he was not personally interested in the undertaking. He deemed it right to make this remark, because, on a former occasion, when he and Mr. Sotheron Estcourt addressed the House on the subject of telegraphic communication through Asiatic Turkey, the right hon. Gentleman the present Chancellor of the Exchequer took the opportunity of warning the House against Members making use of their position to support undertakings in which they were personally concerned. If this line were constructed, there would be two separate and wholly distinct lines of telegraphic communication between this country and India. Practically, indeed, there would be three lines of communication, because if anything were to go wrong with that part of the new system which had been suggested eastward of Egypt, messages could be forwarded to Alexandria and then be passed along the Turkish line between that place and Diasbekir on the main Turkish line. He thought he had said enough to lead the House to believe that the subject into which he asked them to authorize a Committee to inquire was one deserving of the attention of the Government. He would now make some remarks on the postal communication with India, which rested on the basis of a contract entered into with the Peninsular and Oriental Company in January, 1853, for the conveying of the India mails for fourteen years. Considering the enormous advances which had been made in the science of steam navigation between 1853 and the present time, it was only fair that the public should have the advantage of any improvement in respect to speed and price which had been brought about by any change during that period. There were besides other reasons which rendered it desirable that the relations existing between the Government and the Peninsular and Oriental Company should be inquired into. He was no opponent of the company, which he believed had for many years past rendered good service to the public, but their vessels were not quite up to the requirements of the present day in regard to speed. Then, again, the Peninsular and Oriental Company now had a monopoly of the whole service, and he thought it was desirable that the contract, which was now subject to annual renewal, should terminate a year hence. The Indian railway system, it should be remembered, was approaching completion. In the course of another year the rail between Bombay and Calcutta would be completed, excepting about seventy miles. Then, of course, the whole postal service of India would pass through Bombay by railway, and it would be wholly unnecessary that any postal communication should be maintained between Aden and Calcutta. At present the postal days to India were the 3rd, 12th, 18th, and 27th of the month, without reference to the days of the week on which those dates fall. About a year ago the mercantile community in England connected with India memorialized the Postmaster General for a mail to India on a certain day of each week instead of specified days of the month, it being suggested that Friday was the day which would best suit the convenience of the whole trading community. The traders in India also presented a similar memorial. In reply to those memorials it was stated in that House by the Secretary to the Treasury that the proposed change would be attended with expense, and would necessitate an extra charge of 6*d.* on each letter, and that those letters which were now charged 10*d.* through France would be charged 1*s.* 4*d.* The mercantile community thought that that suggestion was unreasonable, and declined to accede to it. Thus there were abundant reasons why a Committee should be appointed to inquire both into the telegraphic and postal service of India. In recommending that the contract with the Peninsular and Oriental Steam Company should be remodelled, there was no desire to ask the Government to submit to any additional charge; he was quite content to abide by the language used in the Report of the Commission on Postal Contracts in 1853. The Commission held that Parliamentary grants might be properly made to meet the first outlay required for the opening up of new lines of communication and the encouragement of new methods of conveyance; but afterwards, except where there were important political advantages to be gained, these services ought to be self-supporting, and the cost of continuing them should be borne by the persons who availed themselves of them for commercial or other purposes. In the case of the Indian service there was an amount of receipt in the shape of contributions from the mercantile classes which went far to pay the whole of the cost, and there were also political advantages arising from it, such as those contemplated in the Report of the Commission of 1853, and in consideration of which the State might be prepared to defray a certain portion of the expense of maintaining the communication. From the same Report it appeared that in the year 1852 the India and China postal receipts were estimated at £152,564. That was the result of a very elaborate process of calculation, the particulars for which were furnished in the appendix. In the Report of the Postmaster General for the year 1865 it would be found that the number of letters carried between Great Britain and Ireland and India, China, and Japan was 3,632,000, being a considerable increase over the previous year. It was only fair to assume that the number had been increasing from 1852 to 1865; and if the receipts were upwards of £152,000 in the former year they must amount to a sum considerably in excess of that amount at the present time. If that were so, that service must recoup, if not the whole, at all events a large proportion of the sum total paid for it. Therefore, the whole amount voted for the postal service of the country being £850,000 per annum, and the surmised receipts being some £500,000, those who contributed so largely to the maintenance of the communication with India ought not to be made to pay for other lines of communication which were not so successful, such as those to the West Indies. In the Report of the Commission, it was stated that the postal services should be kept up partly at the expense of those whose correspondence was conveyed by them, and partly by the State, in consideration for the advantages it derived from them. He concurred in that recommendation. The advantages which the State derived from our whole organized system of postal communication were not very insignificant. Take some recent instances in illustration. When it was necessary, in connection with the *Trent* affair, to send troops to Canada, where would ready means of transport for them have been found if the vessels employed on the North American postal service had not been available? Again, in the case of Jamaica, the other day, great benefit resulted from the fact that they were able immediately to send out Sir Henry Storks to that island by one of the West India mail packets which also brought the first intelligence to the Government. In the case of the Crimean War the French largely availed themselves of our vessels for the transport of troops; and so alive were the French to the importance of having always at command a large number of these steamers that in every quarter of the globe where we were at this moment maintaining a subsidized line of communication they were eagerly coming forward to share in the enterprize. They had established a line to Cochin-China; they had also lines connecting Bordeaux with Brazil and Buenos Ayres, Havre with the United States, and other ports with Mexico and other parts of the world. The French saw that if their merchants profited by that system the State likewise derived immense advantages from it. He was not asking the Government to run a race of competition in that matter with our French neighbours or any other foreign nation; yet, as in the case of the line of communication with the East Indies, the receipts from the carriage of letters nearly equalled the whole expense incurred, surely the public might reasonably expect that the service should be maintained on a footing of perfect efficiency. They did not want the Government to go to any great expenditure, but only to place their postal communication between this country and the East Indies in a thoroughly efficient state, and on a sound economical basis. The way in which that should be carried out was, that as Bombay should be held to be the great port of India, there should be a separate contract for the service between this country and that port; that parties should be invited to tender separately for these service from Bombay to Suez; and that the services for China, Japan, and the Straits, and for Australia, should be unconnected with the main postal communication between this country and India. By that plan they would break up the practical monopoly now in the hands of the Peninsular and Oriental Steam Company, and enable other persons to compete with it. The time had come when they should endeavour to secure the advantages of competition to the utmost, and when they should be able to look upon the one service of India as wholly distinct from that of Australia. He had been asked whether he would consent to the insertion of words in his Motion which would enable the Committee to include the telegraphic communication with China and with Australia within the scope of its inquiry; but it would tend to hamper the inquiry if, in the first instance, such a vast addition were made to the labours of the Committee. He came forward with a specific complaint—namely, a complaint as to the manner in which the telegraphic services with India were carried on, and also with a distinct allegation that as far as the postal communication was concerned it was susceptible of great improvement without any heavy increase of expense. The Committee should, therefore, in the first instance at least, restrict its inquiry to the particular subjects to which he had referred, and if, when it had completed that part of its task, the inquiry could, upon instruction from the House, be extended to other portions of the question, he, for one, would be very glad. He moved for a Select Committee to inquire into the practical working of the present systems of telegraphic and postal communication between this country and the East Indies.

Mr. HORSFALL said, that he seconded the Motion. The clear and able statement of his hon. Friend rendered it unnecessary for him to detain the House for more than a few moments. He should have been glad if his hon. Friend had confined his proposal to an inquiry into the telegraphic communication, without adding the postal communication to it. The two questions were too wide for a Committee to deal with within any reasonable period. As to the telegraphic communication, there were great complaints, both of its extreme irregularity in delivery and its great incorrectness. He would confine himself to stating a few facts to corroborate what had fallen from his hon. Friend the Member for London relative to telegraphs. Like his hon. Friend he had received a great number of communications which he had been requested to submit to the House. He had made a selection, and would give the House a few illustrations of telegraphic irregularity. The first letter to which he would call their attention was one complaining of the telegraphic communication with Bombay. It stated that an order had been sent by telegraph to Bombay for a considerable purchase of cotton. The message, which ought to have been delivered in twenty-four, or at most in thirty-six hours, had not come to hand for thirty-six days, not till after a letter containing a duplicate of the order had been received. The same party received a telegram last month, stating that Mr. H., the managing partner of the concern in Bombay, was leaving in consequence of ill-health, and requesting that a gentleman should be sent out immediately to take his place. A gentleman was sent out at a salary of about £1,000 a year; but soon after a letter arrived from which it appeared that the telegram was not from Bombay; that it was not a man in the position of the partner there who was wanted, but that a clerk of the same name having fallen ill at Madras a person was required to replace him. Within a short period the same parties complained that eleven messages were not delivered at all; four reached in about a month after transmission, and two were unintelligible when delivered. Some four or five months ago application was made to the Electric and International Telegraph Company for repayment of a sum of about £66 for these useless messages. They said they would communicate with the foreign telegraph office, but nothing had been heard of the matter since. He had another letter from Calcutta which stated that in the case of a number of telegraphic messages from

Calcutta the time of transmission was from five to thirty-one days. Two messages were sent out on the 16th of December. One reached in seven, and the other in twenty-three days. One writer said he had sent out "a limit" for the purchase of cotton, which limit was very much increased. In another case this limit was sent "Increase 5 per cent," which was altered to "Increase *liver* per cent." One house sent to Madras in six months 250 messages, and received 153, at a cost of nearly £4,000, and it so happened that many of those telegrams had never been delivered at all, while in other cases those which had been sent last were delivered first. The only way in which this could be accounted for was that the operators in Turkey not being fond of hard work, waited till they got a number of those messages, when, having previously filed them, they commenced to work them off; so that those which were filed last got their turn first. He did not vouch for that as a fact, but it was one of the statements put forward. He had received one or two suggestions to the effect that the only remedy for the irregularity was to have British "signallers" appointed. They had the evidence of the hon. Member for Greenwich (Sir Charles Bright) that between Bussorah and Kurrachee, that portion of the line being worked by English signallers, messages were sent a distance of 1,500 miles in little more than half an hour. He had received a communication from the Liverpool Chamber of Commerce, which had been endeavouring to collect information on the subject. In answer to the inquiries made by the Chamber, an extensive house said that, in their experience, the irregularity was so uniform that they found it difficult to single out instances of irregularity. Every telegram they received was a fresh illustration of the very defective and unsatisfactory working of the system. His hon. Friend had made out a very clear case on the part of the mercantile community; but those who asked for a reform in this telegraphic system might go further. There was no one who had relatives in India but felt that this was a social question, and no one knew better than Her Majesty's Government its importance in a political point of view. He hoped that when his hon. Friend got his Committee he would put practical men upon it—men competent to grapple with the subject; and that if we could not have a perfect, we should at least have an improved system of telegraphic communication between this country and India.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the practical working of the present systems of Telegraphic and Postal Communications between this Country and the East Indies."—(*Mr. Crawford.*)

SIR CHARLES BRIGHT said, that having been practically engaged in the construction and laying down of the portion of the line under discussion in the first part of the speech of the hon. Member for London, he hoped the House would permit him to add the expression of his regret that a line with which so much pains had been taken, and which had cost so much money, should have occasioned so much disappointment. He took it for granted that the Turkish Government was desirous of carrying out the convention; but so little interest did the Turks feel in the matter, that when he arrived from Scinde he found that the line between Bussorah and Bagdad was delayed for a year, owing to some miserable local squabble between the Governor of Bagdad and some of the tribes, and operations in the Turkish dominions had been retarded a whole year. The working of the Indian line had been described as the most wretched in the world. Except for the bad working on the Turkish portion of the line, messages might be sent with the greatest possible regularity between England and Kurrachee in three or four hours. But on arrival at Kurrachee, the distribution of messages to Bombay and Madras was performed in a wretchedly bad manner. He had met a gentleman waiting as long as seven days at Bombay for a telegram, and he had been obliged to wait himself for two or three days for a telegram between Kurrachee and Bombay, a distance of 500 miles. It would be difficult to exaggerate the importance of this line in a political sense, and while it was working so badly it would be impossible to extend our telegraphic system through Australia and China.

MR. MOFFATT said, he was glad his hon. Friend the Member for the City (Mr. Crawford) had put the telegraphic before the postal communication, but he did not concur with his hon. Friend the Member for Liverpool (Mr. Horsfall) that he ought to have omitted the postal communication altogether. On the contrary, he believed the one was so connected with the other that a Committee would arrive at very imperfect conclusions if it separated them. In expressing the gratitude of the mercantile community to his hon. Friend for having brought the subject — which he hoped would meet with a full inquiry—under the notice of the House, he might say in reference to a great corporate body, the Peninsular and Oriental Company, that, instead of shrinking from inquiry, or wishing to evade it, they courted the fullest investigation. They were justly proud of their position, for where was the corporate body which had progressed more rapidly and with greater benefit to the public as well as to themselves? It must be admitted that they had done much to promote intercommunication between England and our Indian Empire. It was quite true that that Company was established fourteen years ago, but they had progressed more rapidly than any other trading corporation. Again, it was said that there was a monopoly, but the corporation to which he referred invited all comers, if they were able to do the work better. Still, there were many things which ought to be done which were not done. The service might be greatly improved, the expense possibly lessened, and the public in every way benefited by inquiry. As a mercantile man, and representing a great mercantile and shipping constituency, he entirely concurred in the appointment of a Committee.

Mr. CHILDERS said, that the House was much obliged to the hon. Member for the City for the very lucid and interesting statement he had made in introducing his Motion. It would be unnecessary for him to enter into any lengthened discussion of the various points adverted to by his hon. Friend, because the Government, as had already been intimated, did not intend to oppose the Motion; on the contrary, indeed, they would afford him their hearty support, as they were of opinion that benefit would result from the investigation of a Committee. The proposed inquiry would be divided into two branches—the working of the telegraph system, and the working of the postal system between this country and India. His hon. Friend had, he thought, done right in including the postal system in his proposal, for the two subjects were intimately connected. But the other question was he considered rightly placed first, the telegraph being now so generally used for purposes of business that it was rapidly superseding postal communications. It was expedient that the House should know exactly what faults existed in the great telegraph lines connecting this country with those countries with which our commercial intercourse was on so large a scale. At the same time, his hon. Friend must not take it for granted that the Amendments which he had suggested—however easy of execution they might appear — would entirely remedy the faults which he had pointed out, or that the existence of those faults was a matter of special blame to the companies who happened at the present moment to have the whole of this business in their hands. If the lines of other telegraphic companies were to be subjected to as minute an examination, it might happen that as grave blots would be found in them as those with the description of which his hon. Friend had amused the House. The subject was one of great difficulty, and where the line passed through several foreign countries, in which different systems prevailed, difficulties existed which could not be grappled with at once. Considering the short period during which the lines had been in operation, it would be unjust to treat them in a hostile spirit and broadly to condemn their operations. On the other hand, he must admit that the present state of affairs was not satisfactory. It must be understood that the Committee was not to be used for the purposes of attack on one company or obtaining subventions for another, but to consider what practical improvements could be made in the system. With respect to postal communication with India, the remarks of his hon. Friend ought to have great weight with the House. The postal arrangement with India had not hitherto been made upon a regular plan, but almost haphazard, as it were, extending now in one direction, now in another, as the temporary occasion required. We had been in such a state of transition both as regarded commerce and political affairs in the East, that he could not point to any particular moment when it would have been thoroughly safe to take up the whole question. He thought, however, that the present was a time when the subject might be looked into with great advantage to the public service, especially as a new route to Calcutta, which, with the exception of sixty miles, would be completed in a few months, was about to be brought into operation. That would put the whole question upon an entirely new footing, for communications would be far more rapid by the new railway through Bombay than the present route through Madras and Point de Galle. We were also now approaching a time when the railway would be completed to South Italy, and the communications with Alexandria by Brindisi would be much quicker than they were by Marseilles. The hon. Gentleman had not noticed the present well-organized system under the French Government through Marseilles, Egypt, Point de Galle, Suez, Singapore, and China. It appeared to him that we had not sufficiently considered to what extent we could avail ourselves of that service which another Government, in a spirit of enterprize, had extended to the extreme East. The present was a fitting occasion for considering the whole matter dispassionately, and the Government would desire to have in the Committee the assistance of thoughtful men of business who could devote time to the inquiry. It was most desirable that in dealing with the question of postal communication the question of economy should not be lost sight of; for at present, notwithstanding the annual contribution of £30,000 by Australia towards the line between England and India, there was a loss on this line of between £80,000 and £90,000 to the Home Government. On these grounds the Government had much pleasure in acceding to the proposal of his hon. Friend.

THE CHANCELLOR OF THE EXCHEQUER said, he rose to make a personal explanation which was forced from him. In former years he had warned the House against being led astray by recommendations with respect to telegraphic communications with the East, made by hon. Members on behalf of undertakings in which they were personally interested. In doing so there was no intention to make any reflection on any particular person, and least of all was there any such intention with respect to his hon. Friend (Mr. Crawford). In the year 1857 his hon. Friend had distinctly recommended that public money should be used in order to establish a line of railway in connection with India. Not having any official responsibility, he did what he hoped independent Members would ever agree to do —defend the public purse. On that occasion he said the House of Commons should regard with great jealousy recommendations made by Members of Parliament of schemes which, however interesting they might be from a benevolent point of view, were substantially commercial undertakings, and ought to be allowed to stand or fall as such. That was the head and front of his offending.

MR. CRAWFORD said, that when the railway over Mont Cenis was completed there would be a saving of forty-two hours in the communication between this country and the East.

MR. AYRTON said, that independently of the Mont Cenis Railway, there was another line through Italy in a very advanced state, by the Splugen Pass and Brindisi. When it was completed it would open another route to Egypt, by which the inconvenience of crossing the snow-clad Alps would be avoided.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the practical working of the present systems of Telegraphic and Postal Communications between this Country and the East Indies."—(*Mr. Crawford.*)

And, on March 9, Select Committee *nominated* as follows:—Mr. CRAWFORD, Lord STANLEY, Mr. CHILDERS, Lord ROBERT MONTAGU, Mr. STANSFELD, Admiral SEYMOUR, Mr. AYRTON, Mr. TURNER, Sir HENRY RAWLINSON, Mr. BAILLIE, Mr. WEGUELIN, Sir CHARLES BRIGHT, Mr. LAIRD, Mr. MOFFATT, and Mr. SCHREIBER: Power to send for persons, papers, and records; Five to be the quorum.

PUBLIC LIBRARIES' ACT AMENDMENT BILL.

LEAVE. FIRST READING.

MR. W. EWART moved for leave to bring in a Bill to amend the Free Public Libraries' Act. He said, that twenty-five public libraries had been established under that Act, besides Schools of Art and Museums. Those institutions were not only open to all choosing to avail themselves of the advantages which they offered, but, being generally connected with lending libraries, extended their benefits in all directions. The object of the Bill which he asked leave to introduce was to afford facilities for collecting the rate, by collecting it with the general rates instead of by itself, and for making the Act apply equally to all parts of the United Kingdom.

MR. F. S. POWELL said, he gladly welcomed any measure having for its object to render more efficient the Free Public Libraries.

THE CHANCELLOR OF THE EXCHEQUER: Sir, my hon. Friend need not expect opposition. On the contrary, the Government will afford him every support and assistance for the success of his Bill. I cannot refrain from seizing this opportunity of cordially congratulating my hon. Friend on having been permitted, during a long and honourable Parliamentary life, to see the gradual development of the fruit of his labour, and to watch these institutions spread throughout the great centres of population where it is so desirable they should exist. My hon. Friend's name is associated with many achievements of public utility, but with this act of legislation, I think, he may feel assured that his name will be associated not only during his life, but after he is gone.

Motion *agreed to.*

Bill to amend the Public Libraries Act, *ordered* to be brought in by Mr. WILLIAM EWART and Mr. DUNLOP.

Bill *presented*, and read the first time. [Bill 44.]

CATTLE DISEASES (IRELAND) BILL.

[BILL 37.] COMMITTEE.

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Sir George Grey.*)

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 9 *agreed to.*

Clause 10 (A Fund to be provided for defraying Expenses of this Act to be assessed by the Poor Law Commissioners).

MR. S. B. MILLER said, he was anxious to introduce an Amendment giving effect to the terms of the Report made by the Commission presided over by the noble Lord the Member for Cockermouth (Lord Naas). That Report had been moved for on the 13th of February, but it was only that day that Members had been able to obtain copies. It was owing to the indefatigable endeavours of the noble Lord that Ireland was at present free from the cattle plague. Ireland did not ask for entire indemnity, but for contribution towards the expenses that would be necessary should the plague unfortunately reach that country. The suggestion contained in the Report was that the expenses of carrying those orders into execution, save the sums to be paid as compensation for the compulsory slaughter of animals, should be defrayed out of monies voted by Parliament.

THE CHANCELLOR OF THE EXCHEQUER said, across the table, that it was not competent to the hon. Member at such a stage of the Bill to introduce so important a Motion.

MR. S. B. MILLER said, that owing to the non-production of the Report, no earlier opportunity had been open to him. The Report showed on what abundant grounds the Motion was based. He asked in common justice for a full indemnity in the manner suggested by that Report for such expenses as might be rendered necessary by the creation of a staff of veterinary surgeons, inspectors, and other officers whose appointment had been rendered expedient by the fact that the plague had been allowed to reach in this country the height which it had at present attained.

He moved, as an Amendment, the insertion of words providing that the amount of compensation paid under these circumstances should be defrayed by means of money voted by Parliament.

THE CHANCELLOR OF THE EXCHEQUER said, he was in hopes the few words he had spoken across the table would have relieved the Committee from the necessity of discussing the Amendment. The hon. Gentleman had not taken his seat in the House in the present Parliament for the first time, and therefore ought to be aware that the course which he was pursuing was almost without parallel. The proposal by private Members of public charges was well-known to be opposed to all the rules laid down by the House for its own guidance, although within the last few years words had been inserted by means of which those rules had been rendered ineffective. The point, however, to which he wished to call special attention, was that of founding on a document not in the hands of Members—

MR. S. B. MILLER: Yes, it is. It was presented this morning.

THE CHANCELLOR OF THE EXCHEQUER: It is not a Parliamentary paper.

MR. S. B. MILLER: Yes, it is.

LORD NAAS: I moved for it a few days since.

THE CHANCELLOR OF THE EXCHEQUER: Well, be that as it might, he did not think the hon. Member—who had given no notice of his Amendment—were he to ransack the Votes of the House from one end to the other, would find an example of such a proceeding as that to which he had just had recourse. He proposed, in a House of not more than forty Members, and upon the discussion of the clauses of a Bill in reference to which not a single notice of Amendment had been given, to lay down a totally different principle on the question of compensation from that which had received the sanction of Parliament in the case of England. For his own part he had not had an opportunity of considering that proposal at all, and he must not be regarded as giving to it any encouragement under the circumstances. He would, however, put it to the hon. Gentleman, as a matter of propriety, whether he would press his Amendment?

MR. S. B. MILLER said, the right hon. Gentleman ought to be aware that the Bill had been read a second time only that very morning at two o'clock; that the Report on which he relied had been placed in his hands only that very day, that he therefore could not have given notice of the Amendment, and that that was therefore the only manner in which he could raise the question.

THE CHANCELLOR OF THE EXCHEQUER said, that the hon. Gentleman might have adopted the very obvious course of giving private notice on the subject to his right hon. and learned Friend the Attorney General for Ireland, who might then have postponed the Committee on the Bill.

MR. S. B. MILLER said, he scarcely felt himself authorized in taking any step in the matter without communicating with his noble Friend the Member for Cockermouth (Lord Naas), whom he had only seen a short time before, and to whose exertions he repeated it was, under Providence, due that Ireland was free from the cattle plague at the present moment.

MR. BAGWELL said, that the Bill had been brought forward at the request of the Irish Members generally, and it was scarcely reasonable when the House went into Committee upon it that such a proposition as that of the hon. Gentleman should be made. It was advisable, in his opinion, that the people of Ireland should themselves pay what the Bill proposed, and that the Government should take the responsibility in the event of an outbreak of the disease. The action of the Government in the matter under consideration was, in his opinion, an unmixed good, and he did not think it becoming in representatives of Irish constituencies to appear at the eleventh hour in opposition to the Bill.

LORD NAAS said, he considered the right hon. Gentleman the Chancellor of the Exchequer had been a little too hard, under the circumstances, on his hon. and learned Friend (Mr. S. B. Miller). Although the latter might have made an unusual Motion, it was by no means unparliamentary. He should be sorry to delay the progress of the Bill, even if they obtained the object his hon. and learned Friend had in view. He hoped, as the opinion of the Committee was against him, that he would consent to withdraw his Amendment. The proposition, it was but right he should say, had been well considered in Ireland, and he did not see that his hon. and learned Friend was to blame in bringing the subject before the Committee. It was thought in Ireland that the extra duties which the constabulary and others (who were paid out of the Consolidated Fund) would have to perform under this Bill might be paid by the country.

LORD ROBERT MONTAGU said, he would recommend the hon. and learned Gentleman not to divide the Committee, as in the then state of the House it might become a dropped Order.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 11 to 13 *agreed to.*

LORD NAAS said, he would suggest that a larger sum than 2*d.* in the pound should be levied upon the occurrence of the event contemplated by the clause, and suggested that 4*d.* should be substituted for 2*d.*

Amendment *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

CONTROVERTED ELECTIONS.

Mr. WALPOLE *reported* from the General Committee of Elections; That they had selected the following twelve Members to be the Chairmen's Panel, and to serve as Chairmen of Election Committees for the present Session:—Hugh Edward Adair, esquire; The Right honourable Edward Pleydell Bouverie; Stephen Cave, esquire, New Shoreham; Edward C. Egerton, esquire, Macclesfield; Edward Ellice, esquire; Thomas William Evans, esquire; William Henry Gregory, esquire; The Right honourable John Robert Mowbray; The Right honourable Lord Naas; George Sclater-Booth, esquire; Henry Hussey Vivian, esquire, Glamorganshire; Charles Watkin Williams Wynn, esquire, Montgomeryshire.

Report to lie upon the Table.

PRINCESS HELENA'S ANNUITY BILL.

Bill "to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess Helena Augusta Victoria," *presented,* and read the first time. [Bill 42.]

PRINCE ALFRED'S ANNUITY BILL.

Bill "to enable Her Majesty to provide for the Support and Maintenance of His Royal Highness Prince Alfred Ernest Albert, on his coming of Age," *presented,* and read the first time. [Bill 43.]

House adjourned at Nine o'clock.

HOUSE OF COMMONS,

Wednesday, February 28, 1866.

MINUTES.]—SELECT COMMITTEE—On Theatrical Licences and Regulations *appointed; nominated* March 7.

PUBLIC BILLS—*Second Reading*—Qualification for Offices Abolition [1]; Fellows of Colleges Declaration [26]; Princess Helena's Annuity* [42]; Prince Alfred's Annuity [43].

Considered as amended—Cattle Diseases (Ireland)* [37].

Third Reading—Jamaica Government [17], and *passed.*

QUALIFICATION FOR OFFICES ABOLITION BILL—[BILL 1.]

(*Mr. Hadfield, Sir Morton Peto, Mr. Baines.*)

SECOND READING.

Order for Second Reading read.

MR. HADFIELD moved the second reading of this Bill. He said that he regretted in some degree the necessity of introducing this measure for the seventh time to the House of Commons. Two years ago a right hon. Gentleman (Mr. Sotheron Estcourt), who was much respected on both sides of that House, proposed to him in the House that if he (Mr. Hadfield) would assent to referring the Bill to a Select Committee he would give it his support and the support of the party whom he undertook to represent on that occasion. The Government also recommended that course to be adopted. He assented to the proposition, and a Select Committee, fairly chosen from Members on both sides of the House, was last year appointed. The Bill which he now submitted to the House was that adopted by the Committee in question. The Members of the Committee were two to one in favour of the present Bill, and as this House had so frequently expressed a favourable opinion of it, he trusted the other House would now allow it to become the law of the land, and so remove one of the last rags of intolerance that remained on the statute-book. The reasons for the measure were these:—About thirty-eight years ago, when the Bill for the repeal of the Test and Corporation Acts was introduced by Lord John Russell into the House, it was found necessary, in order to secure the passing of the measure, to introduce a clause into the Bill to satisfy the demands of a certain party who required a declaration to be substituted for the repeal of the Sacramental Test. The late Sir George Lewis stated in that House that the clause was introduced into the Bill of 1828, not because it was a thoroughly substantial measure, but because it seemed to be one containing a declaration that would satisfy the honour of certain parties who would be otherwise unwilling to give up the sacramental test. The Duke of Marlborough, however, stated in another place that if that declaration were to be proposed over again it would probably never be adopted. And a still higher authority than even the noble Duke—namely, the leader of the great Conservative party (the Earl of Derby), stated that as regarded protection to the Church of England the clause in question was not worth the paper upon which it was printed. In both Houses Government Members had supported the present Bill. Well, thirty-eight years had passed since the repeal of the Test Acts, and since then that particular clause had never been enforced, except partially in corporations. The Act required two classes of persons to make the declaration—first, the great officers of State, civil, military, and naval, who never made it; and next, the officers and servants of corporate bodies. Mayors, aldermen, councillors, town clerks, and other corporate officers, must of necessity make the declaration before taking office, because, if they did not, their offices would be void; but the servants of the corporations—the policemen, the lamplighters, the scavengers, and so forth—never did. He had investigated the circumstances of five corporations, and he found that while the declaration was made and subscribed by 511 principal officers, it had not been made or subscribed by 5,300 subordinate officers and servants. Practically, therefore, it was disregarded, not only by the great officers of State, but by most of the second class to which it referred. In order to save Ministers and other great officers of the State from the penalty attached to their disobedience to the law it was necessary to pass a Bill of indemnity through Parliament every year. Surely, if any one ought to make the declaration, it would be the chief officers of State, but they were allowed to disobey a positive enactment. No less than thirty-seven Bills of Indemnity had been passed in relation to this matter since the measure for the repeal of the Test and Corporation Acts. As those who did make the declaration could not contravene the substance of it without breaking the law, they might as well be asked to subscribe to a declaration that they would not commit felony. Hoping that the other House would at last assent to the repeal of a declaration, subscription to which would annoy, insult, and offend thousands who were most loyal and respectable, and occupied positions of usefulness, he moved the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hadfield.*)

MR. NEWDEGATE: Mr. Speaker, I have to thank the hon. Member for Sheffield for having placed this Bill for a second reading on a Wednesday afternoon, the day allotted for the consideration of Bills introduced by independent Members, in compliance with the customs and regulations of the House; for, during the last Session he was in the habit of placing the Bill after the Government Orders on Government nights, when there was no opportunity, from the late hour at which it came on — sometimes at half past two in the morning — of properly discussing it. Sir, as there are many hon. Members present who have not heard the question discussed before, I may perhaps be permitted to state some of my objections to the Bill. That they are light objections I think no man will presume to say, when the House of Lords has rejected the measure six times, and when the last time it was submitted to this House, legitimately and fairly, on a Wednesday, the second reading was carried only by a majority of two. Now, Sir, the object of this Bill is to repeal the declaration which was introduced into the Test and Corporation Acts in the year 1828, as a substitute for the sacramental test which was then repealed. I, for one, rejoice that the sacramental test was abandoned. I think it was an affirmation accompanied by a desecration of one of the holiest offices of the Church. But, Sir, because that solemn ceremony ceased to be required, neither House of Parliament in 1828 saw any reason for departing from the restrictions which this declaration contained — the declaration in the Municipal Corporations Act 9 *Geo.* IV. c. 17. I think, Sir, I cannot do better than at once to read to the House this declaration, the repeal of which is the real object of this Bill. It was thought necessary by the Legislature in 1828, and has ever since that time been thought necessary by the House of Lords, that some rule should be laid down which should inviolably limit corporations to the transaction of that multifarious and highly important business which is by law allotted to them—namely, the regulation of the local affairs of cities or boroughs of which they formed the councils, and over which councils the mayors presided. I will presently show the House the effect of departing from that salutary and constitutional rule of law. Now this declaration was not carelessly drawn. The House will see, from the terms of it, that it was drawn by earnest men, with a clear and distinct purpose. It runs thus—

> "I (A. B.) do solemnly and sincerely, and in the presence of God, profess, testify, and declare, upon the true faith of a Christian, that I will never exercise any power, authority, or influence" —(now mark these words)—"which I may possess in virtue of the office of   , to injure or weaken the Protestant Church, as it is by law established in England, to disturb the said Church, or the bishops and clergy of the said Church, in the possession of any rights or privileges to which the said Church or the said bishops and clergy are or may be by law entitled."

The House would observe that the declaration defends only that which is established by law. Now, Sir, it was apprehended by the Legislature that there might be certain Nonconformists — persons dissenting from the Church of England—who might be inclined to make use of corporations as the arena for political agitation against the Church of England; and I will show the House before I sit down that in Ireland, where this law and restriction are not in force, such use has been made of corporations. I allude to the proceedings of the corporation of Dublin. But before I proceed to that point I wish to notice one or two of the observations made by the hon. Member for Sheffield (Mr. Hadfield). He has said that Lord Derby stated that this declaration is not worth more than the paper on which it is written. Now that is true in a very limited sense. One of the bolts of a ship, if displaced, may be of very small intrinsic value; but the bolts of a ship are of essential value whilst they are kept in their proper places; and therefore this declaration, which prevents the municipal corporations of this country from being abused — which prevents the corporate power granted by the State for the regulation of municipal affairs from being directed against the Church of England, which is in union with the State, is one of those securities which have combined to maintain the Constitution of this country in its present state of detailed, but very complete organization. I will cite an instance. Hon. Members opposite — many of them, at all events—are familiar with steam-looms in cotton mills. One roller, if taken from a loom, is of very small value; but if one of the rollers or one of the wires is taken from the loom, the loom is spoilt. Take one bolt out of a ship, and where will be its safety? So with this declaration. It is one, and no insufficient security that the municipal corporations of this country shall not be converted into arenas for political discussion, and that the corporate power of municipalities granted by law shall not be directed against the Church of England, which is maintained and established by law. That is no insignificant security. But the hon. Member went on to say that the great officers of State, although formerly bound to make this declaration, do not now make it, and are indemnified for not doing so under an annual Act; and I see that the hon. Member who so often assails the Act of Indemnity has had the grace to introduce a clause in the Bill renewing that very indemnity which he has so often condemned. Now, why is that indemnity granted? It is granted for two reasons. The great officers of State are selected from the representatives of the people owing to their special qualifications to deal with those questions of high politics, particularly questions involving religious considerations, and in their oaths they give a security equivalent to this declaration. And, therefore, for two reasons—first, because they are especially selected for the treatment of these subjects; and secondly, because their oaths cover the subject-matter of this declaration, the Houses of Parliament are satisfied that they shall be permitted sometimes to neglect the acceptance of this declaration, which, in their case, is really unnecessary. But how stands the case with respect to municipal officers, with town councillors, and the mayor? They are not selected for the consideration of high politics in their corporate capacity. They are selected for a totally different object—the regulation of the local municipalities, of cities, and towns and boroughs in their different localities; and therefore, very reasonably, they are required to declare that they will not interfere in this one important matter; that is to say, they will not exceed their privileges and their functions by using the corporate power—mind you, by using the power and influence they obtain through their corporate offices, to attack the Church of England — the Protestant Church of England—which is in union with and established by the State. Is there anything unreasonable in such a regulation? Is it not a regulation which no sane Legislature could wish to depart from if they desired to establish afresh the Constitution of the country as it at present exists in Church and State. It is surprising to me that hon. Members on the other side of the House should have been so often led to vote in favour of this Bill; and I will show, before I conclude, by citing a recent illustration of the case in the Dublin corporation, the confusion which must, in all probability, arise from the repeal of this declaration, and a departure from the legal restrictions by which the corporations of this country are precluded from using the corporate power in commencing an internecine war against the Church of England, which, like the corporations, is also established by law as forming an element in the State. To abandon all these restrictions would be to allow any corporation to establish a system of warfare against the Church of England, and to use for that purpose the corporate power granted by the State itself, which State, as I before observed, is in union with the Church as by law established. I hope, Sir, that I have made this position clear, and, having done so, I will now proceed to consider the arguments that have been used on various occasions on this subject. It has been said, "Oh, what is the use of this declaration, and of others of a similar nature?" A certain class of objectors to all declarations and to all oaths say, "It is nonsense to attempt to bind men's consciences; they have no consciences to bind. Don't fancy you can reach the consciences of men who are engaged in political affairs." Well, I must say that is not a very high compliment to public men, or any class of politicians; but, Sir, they always omit one circumstance connected with the taking of an oath or a declaration, and the public acceptance of this declaration. If a man publicly makes such a declaration as that which we are now considering, or publicly takes an oath at the table of the House, or declares in the presence of some municipality that he will not do certain things, or use the power conferred upon him for certain objects forbidden by the terms of that oath, and then openly violates that oath, he is exposed to reproach, he loses caste in public estimation, credibility, and credit; and one great strength of these declarations and oaths is that, however little conscience a man may have on any subject, he fears exposure and the loss of caste consequent on that exposure, if he violates his declaration or oath. This is one great strength gained by requiring such engagements. But it is this very strength which sometimes forms a union between those whom I may call no-conscience objectors to all declarations and those who take the opposite view, and say, "These declarations and oaths are too stringent — they interfere too much with the conscience; you have no right to appeal to any man's conscience to observe the laws, however salutary." So there are two classes of objectors. One class says, "It is no force on conscience." Another says, "These declarations have too much power." Well, but what is the upshot? That the common and unanimous consent of mankind, almost, ay, I may say from time immemorial, is, that solemn engagements should be required by declaration, and on oath, from those who are intrusted with the political regulations of the State, whether in minor or in major matters, and that those declarations and those oaths form a security stronger than that of any mere enactment, in order to secure the fundamental constitution of any State which may require their imposition. Why, Sir, it is the very strength of these declarations and these oaths which constitutes the real objection to them. What did the late Mr. O'Connell say on another subject? In the year 1828 he was elected for the county of Clare, and he boasted—being an able lawyer, and understanding the use of agitation better perhaps than any man that ever lived—that he could drive a coach and six through any Act of Parliament. When he appeared at the table of this House, and was required to take an oath, which on account of his religion he was incapable of taking, he declined doing so. He went back to the county of Clare, and what did he tell the people there? He told them this:—"True, I can drive a coach and six through an Act of Parliament; but I cannot ride on horseback, or even walk through an oath." It is not the weakness, but the strength of these oaths that is objected to; and they are objected to only by those who have some ulterior object to serve, and who desire to break through the rules of law of which these declarations and oaths—take that of 1828, for instance—is the exemplification and embodiment; and it is for this reason that the House of Lords has so long objected to the removal of this declaration. The hon. Member for Sheffield, in moving the second reading of this Bill, has told us that at the close of the last Parliament the subject was referred to a Select Committee, and on a previous occasion he accused me of contumacy, because, although assenting to the appointment of that Committee, I refused to serve upon it. But why did I refuse to do so? I had no objection to the subject being considered by the Committee. The more it is considered, the better. But I objected to serve for this reason, which I stated to the House at the time — that the Bill consists entirely of principle, and that the Committee could do nothing with it — that they could make no effectual modification or alteration of its details; and the hon. Member for Sheffield will excuse me for saying that the Committee so reported to the House. They made a formal alteration of three words in the preamble, to save appearances, and comply with the usual custom of the House, and did nothing in the sense of altering its terms and details. Let hon. Members consider that they are dealing with a grave question of principle, although on a subject which in itself appears to be of minor importance. It is all very well to laugh at this declaration. But has it no effect? If it had no effect we should not have had six proposals for its repeal in the House of Commons, to be six times rejected by the House of Lords. The truth is, that this declaration, although of minor importance, forms part of one of those securities of the Constitution which, although they may sometimes appear anomalous, and taken by themselves be as valueless as a bolt taken out of a ship, which, when displaced, is only a piece of waste iron, yet combined they form a category of securities for the Constitution, an organization, the result of which, thank God, has been for centuries the enjoyment of the temperate freedom of this country. Depend upon it, you will not enlarge freedom, you will not increase personal liberty by what is called the simplification of such regulations and laws as this. Nothing can be so simple as the organization of the United States. I have been in the United States, and I know that a great many other Members of this House have been there also, and if they happened to be there during any period of political excitement, I appeal to them whether personal liberty is not much better secured in this country than in the United States. Those who went before us were not all fools. There is a party in the present day who invite each man to declare that his father was a fool. I cannot consider that as a personal compliment. Depend upon it that the organization of the Constitution, which has been the fruit of years, and carefully compiled in all its details, was not the work of fools, but has been handed down to us for our security, and ought not to be tampered with by piecemeal innovators. Take, for the sake of comparison, such a machine as that to which I have alluded before—the steam-loom. If some portions of it, although they be but wooden rollers and wires, are to be removed, do you not require a skilled workman to effect the operation, so that it shall be an improvement instead of a detriment? I fear these piecemeal innovations. Why, some of these piecemeal innovators have not the instinct of the rat, which, when on shipboard, has the sense not to gnaw the main plank which forms the outer protection of the vessel from the waves. Some of these innovators do not care what may be the result of their attempts. They have minor or personal interests to serve, and will sacrifice great public interests to the attainment of their puny objects. Others, indeed, are actuated by great purposes, and are combined to effect some great political change through this piecemeal legislation. Although individually insignificant, collectively they are formidable. They are working piecemeal, it is true, but still it is for the purpose of overthrowing the organism which they are attacking. I pray the House not to be led away by the belief that, although this declaration, taken by itself, may be of minor importance, the principle of the Bill is unimportant. It would inflict a great blow upon the Constitution of this country. I trust hon. Gentlemen will not vote lightly against this declaration, because, if experience goes for anything, they are dealing with a very grave matter. I will give the House an illustration of the working of a corporation where no restriction exists confining members of it to their proper functions as defined by the law of which this declaration is an instrument. I do not value the declaration but as a means to an end. The declaration is a means of preventing a corporate power being directed against the Church of England. I venerate the Church of England, but I only value her as a means to an end. She seems to me to be the most efficient means for evangelizing the population of this country, and as a consequence of that evangelization imbuing them and keeping them imbued with both the capability and the desire to maintain and enjoy that temperate freedom which is consistent with order extending from domestic up to the highest political affairs. If the House will allow me I will read a statement of what took place in the Dublin corporation about a year ago. And I would remind the House that the law which we are now considering does not apply to Ireland. It is limited to English corporations. I have here a copy of the proceedings of the Dublin corporation at a meeting held on Friday, the 17th of February, 1865. The object of the meeting was to consider the following Motion, notice of which had been given by Sir John Gray, the present Member for Kilkenny. It was reprinted by direction of the National Association for Ireland, as it is called, a well-known body, acting under the sanction and direction of Legate Cullen, the representative of the Papacy in Ireland. Sir John Gray's notice runs thus—

> "I will ask that the qualification oaths taken by Protestants, and also those taken by Catholics, be produced by the town clerk, and will move the adoption of a petition to both Houses of Parliament praying that Her Majesty's Protestant subjects may, in all cases, be relieved from the necessity of taking oaths which injuriously reflect on the religion of their Catholic fellow-subjects; and that for the qualification oaths."

Now let the House mark this—

> "And that for the qualification oaths now taken by Members of Parliament, members of municipal bodies, and others."

The qualification oaths taken by Members of Parliament and the declaration now before the House—

> "There may be substituted a uniform oath which shall be simply an oath of allegiance to the Queen and her successors, and of obedience to the laws of the realm; and that a deputation be appointed to wait on his Excellency the Lord Lieutenant, and on the Chief Secretary for Ireland, to request them to use their influence as Members of the Government and of the Legislature to effect this object, and to remove all other disabilities that affect any of the subjects of the Crown because of their possessing a particular form of faith."

Now, Sir, I think we have in the proceedings to which I am referring the origin of another Bill, the Parliamentary Oaths Bill, which is before the House, although not just now under its consideration; for the object of Sir John Gray and of the National Association of Ireland is precisely the object of the Parliamentary Oaths Bill, which will be considered hereafter. I now advert to the following circumstances in order to give an illustration of the sort of confusion which is likely to prevail if the restrictions imposed on the corporations of England by this municipal declaration be removed. Here is the report of the proceedings of the Dublin corporation—

> "The Town Clerk then read the requisition calling the special meeting.
>
> "The Lord Mayor called on Sir John Gray.
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> "Sir John Gray rose amid loud applause, and was proceeding to speak, when
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> "Alderman Bonsall rose and said—Allow me for a moment, before proceeding. There has been

a meeting of the Conservative party in this house held, and—[*Cries of* "Order!"]

"Sir John Gray—We don't want to have anything to do with meetings held outside this house. If the Alderman will be good enough to wait, he can tell us all about it in any observations he may hereafter make.

"Alderman Bonsall—Now is the time and place.

"Mr. Devitt—I rise to order. Alderman Bonsall is a gentleman, I am sure, too anxious to support the rules of the house to persist when he knows he is disorderly.

"Alderman Bonsall—I am going to speak to the point of order.

"Sir John Gray—What is the point of order?"

And now, Mr. Speaker, let me call your attention as the guide of order in this House, to what follows:—

"Alderman Bonsall—The point of order is, that Sir John Gray's motion is one not suitable to this course, but is one calculated to excite political and religious rancour between the members of this corporation. We are here to promote public interests, and not to discuss questions of that character. If gentlemen at the other side feel aggrieved by these oaths, let them meet as a party and petition to have them repealed. But to introduce the subject here will inevitably have the result of giving offence to gentlemen we do not wish to offend, but to live on terms of harmony with. I appeal to Sir John Gray to withdraw his motion."

This is the reply of the Lord Mayor, who occupied in that corporation the position which you, Sir, so worthily fill in this House—

"The Lord Mayor—As this corporation is constituted at present"—

Remember that the law now under discussion does not apply to Ireland.

"I feel it is in the power of any member to introduce any matter whatever he pleases. If Sir John Gray puts a motion on the paper, if he wants to establish a company, or to get up anything at all that may be connected with places beyond the city, Sligo for instance, I am bound to hear him upon the point. It is for you to rule whether he is to be heard or not. As the corporation is at present constituted, it is in the power of any member to introduce any matter he chooses."

These are very important words, for I believe that the speaker is a very liberal politician. He went on to say—

"In that view I think Sir John Gray is in order, so far as this corporation is concerned, in bringing this matter before the council. But I must say I regret that he has introduced it, for this reason, that I think the discussion of such subjects is not desirable. You all know my opinion upon religious and political matters, and that, as far as I can, in my line, I keep myself clear of them. On several occasions I stated I would do my best to prevent their introduction into the council, but I am powerless in this case. I will hear whatever is said about it, but I must say I believe the introduction of it will not tend to the harmony of the council. I am bound, at the same time, to rule the point of order, and to say I will hear Sir John Gray.

"Alderman Bonsall—Then we will leave the room.

"Here the Conservative Members rose from their seats, and left the house in a body, amidst hisses from the gallery."

[*Laughter from some hon. Members.*] I wish hon. Members to hear the sort of confusion which was introduced. You have not heard it all yet.

"The Lord Mayor—I will direct the gallery to be cleared if there is not silence.

"Sir John Gray—This proceeding shows how cautious the Lord Mayor, occupying the chair of this assembly, and selected by the unanimous decision of this house—how cautious he ought to be not to allow the influence of any party to induce him to deviate from the rules of order.

"The Lord Mayor—I don't know what you mean. If you refer to me, I don't think I have left myself open to these observations. I ruled the point of order with you. I gave my own private opinion that I thought it was a pity to introduce it. I said it was in your power to introduce it if you chose. I will not state what my own opinions are on the subject. They may be with you exactly, but in this chair I am bound to act impartially. That duty I will discharge to the best of my power. I am sure Sir John Gray does not wish to attack me."

Sir, I feel that I should not be justified in trespassing further on the indulgence of the House by quotation; but I may state that the most violent and exciting language was subsequently used, and that these oaths and declarations were described by Sir John Gray as "impious." He did not say heretical, but saved himself by declaring that he was a Protestant. A violent discussion took place. There was evidence of the utmost discord—perhaps I ought not to say discord in that meeting, because the whole of one section of the corporation had retired from the room; but they were pursued by every kind of invective, and—[*A cry of* "Oh, oh!"]—I will just read, or, not to trespass upon the House, I will say that I may have occasion to read hereafter the expressions which were used. The councillors who had retired were pursued as men who had deserted their duty, and as the cowardly supporters of impious oaths. One expression used was impious as applied to these oaths and this declaration, and if that was not strong language, I know not what hon. Members will consider strong language. I have referred to these proceedings for the purpose of showing the manner in which corporate power may be applied to purposes which are not intended by the law, if no restriction be imposed upon it. I wish to show how some of the most useful members of a corporation may be driven to retire from it. Now, what is the object of these corporations? It is, that all the leading and most trustworthy inhabitants of cities and corporate towns should be combined for the regulation of the local affairs of the cities and boroughs; and if, by removing these restrictions, you enable and cause questions irritating to the political and religious feelings of many of the inhabitants to be discussed in these corporations, the consequence will be that many of the leading and most trustworthy inhabitants of cities and boroughs will not serve as members of these corporations, and the effect will probably be the destruction of the corporations themselves. It is all very well, in a superficial sense, to view the retirement of one large section of the leading inhabitants from a corporation, but such retirement lays the foundation of its destruction, for if any corporation becomes the representative of only a section of the inhabitants of the city or borough it will cease to command respect, and there will be but one alternative—to supersede that sectional representation by some central authority. Therefore, one of my chief objections to the passing of the Bill is, that it would probably cause such dissension in corporations as to be fatal to their usefulness, and ultimately lead to their destruction; and this is one of the chief reasons, Sir, for my thinking it necessary to move that this Bill be read a second time this day six months.

SIR MATTHEW RIDLEY seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*)

MR. BAXTER said, he must express his regret that any Member of that House should rise to defend an obsolete Act of Parliament which never was of the slightest use, and which had long ago fallen into disrepute. Making every allowance for the sincerity of the hon. Member for North Warwickshire (Mr. Newdegate), he thought he was pursuing a course calculated to weaken rather than to strengthen the Church of England. The declaration, Lord Derby had stated in another place, was not worth the paper upon which it was written; but it was defended by hon. Gentlemen and noble Lords, not because it was of the slightest use, but because it was a mark, as had been stated elsewhere, of the pre-eminence of the Church of England and a badge of dissenting inferiority. He could conceive nothing more calculated to injure the Church of England, and to weaken its influence with the people of this country, than keeping up the miserable, absurd, and irritating tests of this kind, which were unworthy of the Church, and which served but to perpetuate sectarian animosity. The hon. Gentleman, in his arguments in favour of the declaration, had never once alluded to the fact that that declaration was not taken by one-twelfth of the people who ought to take it, and that every year a Bill of Indemnity was brought into that House to relieve hon. Gentlemen sitting upon the Treasury Benches, and town councillors and other officials, from the consequences of having broken the law. How could the declaration produce any effect, seeing that as a rule it was not taken. The hon. Gentleman had referred to Ireland; he (Mr. Baxter) would refer, for a moment, to Scotland. They had no such declaration there and never had. They had never required it, although most of the town councils in Scotland had ecclesiastical patronage and the appointment of Church ministers. He thought the Church of England must be in a very bad way if it required to be propped up in this way; but with all respect for the hon. Member North Warwickshire, although not a member of the Church of England, he had more faith in her and in her influence than the hon. Gentleman had. He believed that the less they fenced it about with laws which were totally at variance with the spirit of the age, the more thoroughly she would be established in the affections of the people. Perhaps the hon. Gentleman was not aware that though the great body of the Dissenters of this country were anxious to remove grievances of this sort, there was a body whom he might call the extreme Dissenters, who rejoiced that there were laws of this kind, and that there were church rates. In their opinion the removal of these grievances would make the Church of England stronger, and if it was any consolation to the hon. Member to know it, he would tell him that, in the opinion of that extreme party, he was at that moment playing their game. This was a consideration which ought to weigh with the hon. Member, and ought to facilitate the passing of a measure which he (Mr. Baxter) was ashamed of hearing discussed in the 19th century.

MR. DUNLOP said, he regretted that he was not in his place when his hon. Friend concluded his speech, as he had intended to second the Motion for the second reading. He hoped his hon. Friend opposite would acquit him of seeking to join in any conspiracy against the Church of England, but he had a strong traditional hatred, as they all had in Scotland, to the maintenance of oaths useless and offensive, which in their country had been made the means of inflicting grievous injury. In Scotland they had, in order to maintain the Episcopal Church, multiplied oaths, and they had not passed over the non-taking of them. On the contrary, the refusal to take them was made a point of criminal indictment, and many had lost their lives on the scaffold on that account. Nay, more, they made even an explanation of the oaths a ground of prosecution. An ancestor of the present Duke of Argyll, taking the oath as Privy Councillor, stated—

> "I take it so far as it is consistent with itself and the Protestant religion, and I do declare that I mean not to bind myself in my station in a lawful way to wish and endeavour any alteration I think of advantage to the Church or State not repugnant to the Protestant religion and my loyalty, and this I understand as a part of my oath."

For making that explanation he was tried, condemned to death, and beheaded. And now would hon. Members seek to maintain this utterly contemptible shadow of defence, which the Earl of Derby justly said was no better security to the Church of England than the paper on which it was printed?

MR. HUNT said, he would appeal to his hon. Friend not to divide the House. Having been engaged in a Committee upstairs he had not had the advantage of hearing his hon. Friend's arguments, but as the Bill had been before the House several times, and as his hon. Friend had often expressed his views on the matter, he had probably only missed hearing the same arguments over again. If any additional arguments had been employed, he should have an opportunity of reading them before the Bill reached another stage. But what he wanted to point out to his hon. Friend was that this was but a very small portion of a great question which was to be discussed when they came to the second reading of the Government Bill on Parliamentary Oaths. It might be in the recollection of hon. Members that he spoke last Session in favour of the principle of the Oaths Bill, and he had seen since then no reason to change his opinion. Now, if this House should assent to the principle of the Government Bill, it would follow that they must accept the principle of the Bill under discussion. Well, then, was it worth while to fight to-day about this small part of the question, which would stand or fall by the decision which the House would come to on the larger question? He had hoped that the hon. Gentleman who had charge of the Bill would have consented to postpone the second reading till after the decision on the Oaths Bill. But he had informed him that out of regard to hon. Members who came down to support him it was not possible to do so. It was to be regretted that the hon. Gentleman had come to that determination; but, nevertheless, he would ask his hon. Friend to let the second reading pass to-day without a division, and provided he could persuade the House to reject the Government Bill he would then be in a stronger position to oppose this Bill at a later stage than he was to-day. From the state of these (the Opposition) Benches, his hon. Friend must be very well aware that hon. Members who had a strong feeling with regard to Church matters were not disposed to support him in his present course. He would therefore ask whether his hon. Friend would put himself in the unenviable position of leading a very small party into the lobby on this occasion? Out of respect to his hon. Friend he would not vote against him—he would quit the House before the question was put; but he appealed to his hon. Friend not to compel the House to go to a division.

SIR GEORGE GREY: Sir, I rise merely to say that, having frequently expressed my opinion on the principle of the Bill, it is unnecessary for me to repeat what I have said upon former occasions. There is the less necessity for doing so as the hon. Gentleman opposite has advanced no new arguments against the Bill to-day. He has reminded us that the Bill has been six times already passed by the House of Commons, and I hope this House will follow the example of its predecessors, and affirm the second reading. I think it is generally admitted, if we were dealing with this subject afresh, we should not think for a moment of imposing any such declaration; and I will go further and say that Parliament itself has decided year after year that this declaration ought not to be enforced by unanimously passing the Act of Indemnity, and thus relieving those who failed to take it from the penalties to which hey would otherwise be subject. Under these circumstances, I hope that the hon. Gentleman will listen to the appeal made to him, and that he will not put the House to the trouble of a division. It is quite plain, as the hon. Gentleman who spoke last pointed out, that the state of the Benches opposite shows that there is no intention on the part of hon. Members on that side, as a body, to give any opposition to the Bill.

MR. NEWDEGATE: I feel it to be my duty to divide the House.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 176; Noes 55: Majority 121.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Friday*.

AYES.

Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Antrobus, E.
Aytoun, R. S.
Baines, E.
Barclay, A. C.
Baring, hon. T. G.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Biddulph, M.
Blennerhassett, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brand, hon. H.
Briscoe, J. I.
Browne, Lord J. T.
Bruce, rt. hon. H. A.
Bryan, G. L.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Cave, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clinton, Lord E. P.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowper, hon. H. F.
Crosland, Colonel T. P.
Davey, R.
Dilke, Sir W.
Dillon, J. B.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Erskine, Vice-Ad. J. E.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Fawcett, H.
Fenwick, E. M.
Fildes, J.
Foley, H. W.
Forster, C.
Forster, W. E.
Fort, R.
Fortescue, hon. D. F.
French, Colonel
Gaselee, Serjeant S.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F. H.
Goldsmid, F. D.
Gower, hon. F. L.
Gower, G. W. G. L.
Grenfell, H. R.
Greville, Colonel F.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Hamilton, E. W. T.
Hanbury, R. C.
Hardcastle J. A.
Harris, J. D.
Hartley, J.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Henderson, J.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Horsman, rt. hon. E.
Hurst, R. H.
Ingham, R.
Jardine, R.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
Kinglake, A. W.
Kinnaird, hon. A. F.
Labouchere, H.
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lowe, rt. hon. R.
Lusk, Alderman A.
Mackie, J.
M'Lagan, P.
M'Laren, D.
Marjoribanks, D. C.
Marsh, M. H.
Martin, C. W.
Martin, P. W.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Mitchell, A.
Monk, C. J.
More, R. J.
Morley, S.
Morrison, W.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Conor Don, The
Oliphant, L.
Otway, A. J.
Padmore, R.
Parry, T.
Peel, A. W.
Peel, J.
Pender, J.
Philips, R. N.
Pim, J.
Potter, E.
Potter, T. B.
Price, W. P.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron M de
Rothschild, N. M. de
Russell, A.
Russell, H.
St. Aubyn, J.
Samuelson, B.
Seymour, A.
Shafto, R. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. B.
Speirs, A. A.
Stansfeld, J.
Stirling-Maxwell, Sir W.
Stone, W. H.
Sykes, Colonel W. H.
Synan, E. J.
Taylor, P. A.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. H.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn G
Watkin, E. W.
Whitbread, S.
Whitworth, B.
Winnington, Sir T. E.
Woods, H.
Wyld, J.
Wynn, C. W. W.
Young, A. W.
Young, R.

TELLERS.

Hadfield, G.
King, L.

NOES.

Adderley, rt. hon. C. B.
Barttelot, Colonel
Beach, W. W. B.
Bridges, Sir B. W.
Bromley, W. D.
Bruce, Sir H. H.
Cave, S.
Clive, Capt. hon. G. W.
Cole, hon. H.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Cox, W. T.
Du Pre, C. G.
Dutton, hon. R. H.
Feilden, J.
Greenall, G.
Guinness, B. L.
Hamilton, Lord C. J.
Hamilton, Viscount
Hervey, Lord A. H. C.
Henley, rt. hon. J. W.
Heygate, Sir F. W.
Hogg, Lt.-Colonel J. M.
Holmesdale, Viscount
Horsfall, T. B.
Huddleston, J. W.
Jolliffe, H. H.
Kekewich, S. T.
Kendall, N.
Langton, W. G.
Lefroy, A.
Lindsay, Colonel R. L.
Manners, rt. hon. Lord J.
Miller, S. B.
Miller, T. J.
Mordaunt, Sir C.
North, Colonel
Packe, C. W.
Paget, R. H.
Palk, Sir L.
Parker, Major W.
Ridley, Sir M. W.
Schreiber, C.
Sclater-Booth, G.
Selwyn, C. J.
Severne, J. E.

Simonds, W. B.
Surtees, F.
Surtees, H. E.
Thorold, J. H.
Turner, C.
Walpole, rt. hon. S. H.
Walrond, J. W.
Wise, H. C.
Wyndham, hon. H.

TELLERS.
Newdegate, C. N.
Greene, J.

FELLOWS OF COLLEGES DECLARATION BILL—[BILL 26.]—SECOND READING.

(*Mr. Bouverie, Mr. Dudley Fortescue.*)

Order for Second Reading read.

MR. E. P. BOUVERIE said, he had to present a petition from Mr. Bompas, a barrister, in favour of the Bill. As the petition was one of a peculiar nature, he would briefly state to the House the facts set forth in it. The petitioner stated that he had been an Undergraduate of St. John's College, Cambridge, and when taking his degree at Cambridge University, in 1858, he was fifth Wrangler. He stated that he belonged to the Baptist persuasion, but during his stay at Cambridge he had always attended the college chapel, and received Communion according to the rites of the Church of England. Having obtained so high a place as fifth Wrangler, he believed that had he been allowed to try for a fellowship he would have obtained one, and men who were below him at the degree examination in the same year subsequently did obtain fellowships. He found that before he could obtain a fellowship it would be necessary for him to make a declaration, under the Act of Uniformity, that he would conform to the Liturgy of the Church of England. Being in doubt as to the meaning of that declaration be submitted a copy thereof to Mr. Lush, now Mr. Justice Lush, and his opinion was that, although some of the words of the declaration were ambiguous, the person signing it undertook, at least, to observe all the directions in the rubric of the Common Prayer Book. The petitioner said that he could not conscientiously make that declaration, and he, therefore, was prevented from trying for a fellowship. The petitioner concluded by stating that he believed many members of the Church of England could not conscientiously sign the declaration, and prayed the House for relief. He (Mr. Bouverie) was informed by his right hon. Friend the Member for the University of Cambridge (Mr. Walpole), who was not in his usual place, but was, he believed, engaged in the General Committee of Elections, that it was not his intention at the present stage of the Bill to move the Amendment of which he had given notice for the rejection of the Bill, and he understood that it was not the intention of hon. Gentlemen on the other side of the House who were opposed to the principle of the Bill to take a division on the present occasion upon it. He should, therefore, have been perfectly content to have moved the second reading of the Bill, and have said nothing about it till a future occasion when they would have a discussion and, no doubt, a division upon it, but he was informed by an hon. and learned Friend of his (Mr. Neate), who sat on that side of the House, and who was entitled from his knowledge of the subject from his position at one of the Universities, and from his connection with the city of Oxford, to have his opinions listened to with great attention, that he was going to take some objection to this measure, and therefore it was his duty to state to the House what the general purport and effect of the Bill was. He did not, however, propose to enter into any lengthy argument on the subject. The House was aware that twelve years ago a great change was made in the constitution of the University of Oxford by the Act which was passed for the reformation of the University. That measure was followed two years afterwards, in 1856, by another Act relating to the University of Cambridge, which he had the honour of introducing and of carrying in the House. Previous to the passing of the first of those statutes the aspirant to honours at Oxford was subject to tests of every description. At the commencement of his studies there was a test, the signature to the Thirty-nine Articles of the Church of England. That enabled him to matriculate. When he became a Bachelor of Arts he was required to sign the articles again, and when he took the degree of Master of Arts or any other degree, he was again required to sign the Thirty-nine Articles, and in addition the three articles of the 36th Canon, by which he acknowledged the supremacy of the Crown, adherence to the Common Prayer Book, and also made a declaration that the Thirty-nine Articles were true. The Oxford Act of 1854 made a considerable change in this respect. It enacted that there should be no test up to, and inclusive of, the taking of the degree of Bachelor of Arts; but after that, on taking the degree of Master of Arts, and on taking any other degrees—if the student aspired to them—he must sign the Thirty-nine Articles, and the three articles of the 36th Canon. That was the existing state of things in Oxford. At Cambridge the old state of things was more liberal and comprehensive, and the changes had been greater and more advanced. Even under the old system no signature or test was required for residence at Cambridge, but any young man of any faith or religion might go there, enter any college, and so long as he complied with the college discipline he was not obnoxious to any test. But when he became a Bachelor of Arts he had to declare that he was a *bonâ fide* member of the Church of England, and when he took any other degree, he had to sign the Thirty-nine Articles. The Cambridge University Act of 1856 made a great difference in this respect. It prohibited any religious test being required for any degree except it was a theological degree, so that a student might take a degree in arts, a medical degree, or a degree in music, or a degree in law, or a degree of any kind except a theological degree, without any religious test. But there was a provision that on taking the degree of Master of Arts, unless he was able to take the test and declare himself a member of the Church of England, he could not become a member of the Senate, the governing body of the University. The House would see, therefore, that the changes at Cambridge were more liberal than those at Oxford. But there was another provision of great importance in the Cambridge Act which was not contained in the Oxford Act, and that was a provision declaring that in respect of any scholarship or exhibition of any college at the University, no test or declaration of religious belief should be required at all. Now, the result of that change practically was this, that at Cambridge Nonconformists, those who were not by profession members of the Church of England, could come into residence, could take their degrees, could take the degree of Bachelor of Arts and also Master of Arts, and could hold scholarships in the different colleges, which were at Cambridge the first steps to fellowships. There was nothing in respect of degrees which prevented a Nonconformist from obtaining a fellowship. But when this came to be practically worked out, and when a Nonconformist had had a University education and thought that he was achieving the great object of his residence there, which was to obtain a fellowship, he found that there was another bar in his way, and that there was in an obscure and forgotten corner of the Act of Uniformity a provision that he should declare on taking the fellowship that he would conform to the Liturgy of the Church of England. Now, there had been, in consequence of the relaxation of the rules at Cambridge, so far as they had gone, a considerable number of Nonconformists who had gone to that University, and some of them had gained very great distinction there. The gentleman whose petition he had presented obtained a very high degree indeed. Nobody who knew what it was to be a fifth Wrangler at Cambridge would fail to have respect for his ability and attainments. That was in 1858. In 1860 a gentleman belonging to one of the branches of the Scotch Church was not only Senior Wrangler, but proved himself to be one of the best mathematical scholars that had entered at Cambridge during the present century, yet he was debarred in the same manner from obtaining his fellowship, which otherwise he would have obtained. The following year a Nonconformist, Mr. Aldis, was Senior Wrangler, and he in the same way had been debarred from the opportunity, the certain opportunity, of getting a fellowship. Since then there had been three or four gentlemen, who had been more or less distinguished, who had been debarred in a similar way. One, a brother of the Mr. Aldis he had already mentioned, was seventh Wrangler, and another brother of the same gentleman was second Wrangler. What was a remarkable thing in the present year, out of the seven Wranglers two were English Nonconformists, and four were Scotchmen. He did not know to what church the Scotchmen belonged, but the fair inference was that they did not belong to the Church of England, and of course they would be unable to declare that they would conform to the Liturgy of the Church of England. The House would see that this was a special practical grievance, and not a mere theoretical one, as was alleged against the Bill of his hon. Friend the Member for Sheffield (Mr. Hadfield). All these gentlemen were excluded by the provision in the Act of Uniformity to which he had adverted from the rewards to which they might otherwise have legitimately aspired. The measure that was passed in 1854 had had the effect that was anticipated, of inducing young men of a class that had been heretofore shut out to go to Cambridge to compete for the highest honours of the University. It had shown that men were to be found in the middle class, who comprised the great bulk of the

Dissenters in this country, who were able to hold their own with distinction; but at the very moment when these gentlemen might fairly step in and receive the reward of their exertions this test stepped in and said they were not to receive it. His measure simply proposed to repeal that portion of the Act of Uniformity. The notion that there should be a Bill of this kind was started in 1862 in one of the most remarkable petitions that was ever presented to this House. It was signed by seventy-four resident fellows and tutors of Cambridge, comprised the names of gentlemen of all politics, the majority of the tutors of Trinity College, and also a majority of the fellows of Christ College. All these gentlemen stated that they believed that the repeal of this particular clause of the Act of Uniformity would be advantageous to the University. The following year he introduced a Bill, and it passed a second reading, but it was late in the Session, and there being no chance of carrying it that Session he withdrew it. In 1864 he brought in another Bill with the same object. On the second reading it was rejected by a majority of about thirty. Last year he did not think it desirable, having regard to the last decision, to raise the question again in that Parliament. But they had now a new Parliament, and he considered it his duty, and due to the gentlemen who took an interest in the question, to take the sense of the House of Commons upon it. Under the circumstances, as they were not going to a division, he did not wish to enter into any argument, but after the allegations which had been made against the Bill, he would state that if he thought the measure would interfere with the religious character of these institutions, he would have nothing to do with it. But the religious character of the colleges at Oxford and Cambridge did not in any way depend on the tests which he sought to abolish, but on other things. In the first place, the majority of the fellows were required to become members of the Church of England within a certain time after they had obtained their fellowships. The real security for the religious character of the colleges was in another clause of the Act of Uniformity altogether, which he did not propose to touch, and should not dream of touching—namely, the clause that required that the service in the chapel of the college should be in accordance with the Prayer Book, and also that the heads of colleges should sign the Thirty-nine Articles, and once a quarter read the service of the Church of England in the chapel of the college. They must bear in mind that those fellowships were the great prizes at Oxford and Cambridge, and that they were not sought in order to obtain a voice in the government of Colleges. No one sought a fellowship in order that ten or twelve years afterwards he might become one of the governing body, but he sought it because at a critical time of his life it would give him the means of support. The Church of England derived no strength or support from maintaining a monopoly of this kind. This was no dangerous movement against that Church. It was rather for the purpose of strengthening the Church of England in the right direction, by holding out the hand to those who were offshoots from her, both historically and actually, that the present measure was sought from the House of Commons.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. E. P. Bouverie.*)

MR. NEATE said, it was not his intention to controvert the principle on which the Bill of his right hon. Friend was founded; indeed, he was prepared to go much farther in that direction, and to concur in any general and well-considered measure of this kind. In fact, with respect to all offices, whether in Parliament, Corporations, or Universities, he was in favour of relieving laymen altogether, directly and indirectly, from the necessity of making any profession of their religious faith. But it was because he thought that some difficulties would arise between the Bill of his right hon. Friend and that of the hon. and learned Member for Exeter (Mr. Coleridge) that it was necessary to keep in view the bearing and effect of the two measures. It would be better, he thought, if the two hon. Members conferred together to see whether they could not agree upon some united plan of action. The difficulty which now arose out of the conflict between the two measures was one on which he believed hon. Gentlemen on the other side were prepared to act. There were two ways in which the connection between fellowships and the Church was now secured—the one consisted in the obligation of making a declaration of conformity, and the other was the almost universal necessity of subscribing the Thirty-nine Articles when a man took his M.A. degree. The Bill of the right hon. Gentleman negatived the necessity of making the declaration of conformity, and the connection between the fellowship and the Church was to be secured by the necessity of taking the oath when assuming the M.A. degree. Now he put it, that they must either depart from the principle of the Bill, which was to throw open the University without distinction of creed, but still to secure the connection between the colleges and the Church of England, or they must insert in the Bill a special clause with regard to the declaration to be made by fellows. The Bill of his right hon. Friend would relieve fellows from taking the declaration directed by the Act of Uniformity, but by the Bill of the hon. and learned Member for Exeter (Mr. Coleridge), they would still be required to take the declaration from which the Bill of his right hon. Friend would relieve them. If there was inserted in the Bill of his right hon. Friend a special clause requiring fellows of colleges to make the declaration required by the Act of Uniformity, from which his right hon. Friend wanted to relieve them, the Bill of his right hon. Friend would be totally useless, and worse than useless. No doubt one of the arguments in favour of the Bill was, that it would secure the connection between the fellows and the Church, by still rendering necessary the subscribing to the Thirty-nine Articles on taking a Master's degree. But then came the Bill of the hon. and learned Member for Exeter, which relieved all without exception, whether fellows or not, from subscribing to the Thirty-nine Articles when taking the Master's degree. In one sense he thought the Bill of his right hon. Friend the best, inasmuch as it extended to Oxford as well as Cambridge, and he thought it a fatal objection to the Bill of the hon. and learned Member for Exeter that it was confined to Oxford. What would be the effect ? There would be a special connection between the University of Cambridge and the Church of England, which would not be the case with Oxford ; and as a Member of Oxford University he could not concur in any measure which would place that University in a position of inferiority. No good result could arise from any single-barrelled measure desultorily proposed. In any well-considered measure applying to both Universities he would concur ; but between the present stage of the Bill and the Committee he would suggest to the right hon. Gentleman whether his plan of operations could not be brought into harmony with that of the hon. and learned Member for Exeter.

MR. SELWYN said, he had understood from the right hon. Gentleman that in proposing the second reading of this Bill he would not speak more than two or three minutes, and would refrain from entering into any arguments in support of the measure. He had also understood that this step would be taken in consequence of the absence of his (Mr. Selwyn's) right hon. Colleague in the representation of the University of Cambridge (Mr. Walpole), and the absence of many other Members engaged upon their public duties. He was not going to follow the right hon. Gentleman in this discussion, but would merely remark that he no less differed from the right hon. Gentleman in his estimation of time than he did in his estimation of what was an argument. On behalf of his right hon. Colleague, however, he gave notice that when the Motion was made for committing the Bill he would move, as an Amendment, that it be committed that day six months.

MR. E. P. BOUVERIE said, that it had not been his intention at that stage to enter into arguments in favour of the Bill, and he had only done so as he understood that the hon. and learned Member for Oxford (Mr. Neate) intended to object to it.

Motion *agreed to.*

Bill read a second time and *committed* for *Wednesday* 25th April.

JAMAICA GOVERNMENT BILL.

[BILL 17.] THIRD READING.

(*Mr. Secretary Cardwell, Mr. William Edward Forster.*)

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Cardwell.*)

MR. STEPHEN CAVE said, that as they had arrived at the last stage of this Bill for making a permanent change in the Constitution of Jamaica, it might be respectful in him, who had long been connected with that colony, to explain why he supported it, a little more fully then on previous occasions, when there was the danger of exciting a premature debate on the recent unhappy outbreak. His conviction was, that the decline of Jamaica had been caused by the want of continuous labour, and that this want had been mainly owing to the late form of Government ; other reasons had been assigned, but they applied also to those colonies which enjoyed a higher degree of prosperity. Absenteeism, merchants' charges, want of capital, want of skill, were not peculiar to Jamaica. Traditions of slavery had died away, estates had changed hands, and new blood had been introduced there as elsewhere; and those who talked of exhaustion of soil forget that the little Island of Barbadoes supported a population of 920 to the square mile, against sixty-nine only in Jamaica, though its fertility could never be compared with that of the larger colony. Emancipation in the West Indies was carried by a rush; the West Indians, especially the House of Assembly of Jamaica, brought it upon themselves by the obstinacy with which they rejected the amendment of their code. Hence the planters were regarded as vanquished enemies and the negroes as cherished allies. While the prevalent fear in this country was that the negro would not be relieved from compulsory labour as completely as was intended, the apprehensions of other nations had been that he would not substitute for it voluntary industry—

> "The difficulty respecting labour" [this was from a North American paper] "lies with the negro, not with the employer. The freedman is bent upon renting a little land of his own, and growing enough upon it for his immediate wants, and waiting to see what God will give him."

It was as natural that he should shrink from the employment with which the associations of slavery were connected as that a schoolboy should throw aside his books on a holiday. This feeling and this result were not peculiar to the African; the following was a description of another lately freed race from a Russian paper:—

> "The emancipated peasant interprets personal independence as the right to do nothing beyond what is required to buy him a little food and a great deal of spirits; the proprietor finds it impossible or unprofitable to cultivate the soil except in the more densely-populated parts. The tradesman suffers under the depression of commerce, the capitalist has been so discouraged that the banks founded for lending money on real property can hardly dispose of a single share."

The negroes in Jamaica were induced to quit the estates of their former masters and become small freeholders. This they had no difficulty in doing, as land was extremely cheap, and though there had been complaints that the rent was high, yet the fee simple could be bought for about two years' purchase, and the amount was easily earned in those days by labour on an estate for a very few weeks. Sir Lionel Smith, the Governor at the time of emancipation, recommended the people in a public speech not to permit their children to work on estates—on the other hand, there were many attempts by employers to take advantage of the labourers by violence, and looking back, as we could do now more calmly, upon these events, it would almost appear as if both sides were determined that emancipation should be a failure, and a warning rather than an example to other nations. The result brought about was that which Goldsmith celebrates as the ideal of national felicity—

> "When every rood of ground maintains its man,
> For him light labour spread her wholesome store,
> Just gave what life required, and gave no more:"

but of which Sir Robert Peel expressed a different opinion when he said, in that House, in 1841—

> "If ever the black population of the West Indies shall become squatters on the waste lands or mere cultivators of provision grounds instead of labourers for hire, then slavery and the slave trade will have received the last and greatest encouragement which it is in the power of man to bestow."

Whichever might be right, the result clearly was, that the larger colonies were left gradually without a labouring population. They had the proprietors of estates, and they had the small freeholders, but the class which lived by labour for wages became gradually smaller, and estate after estate was consequently abandoned; usually when the proprietor had been ruined by years of unproductive expenditure. Up to this time the small freeholder obtained a material addition to the produce of his ground by the dollars he earned in casual work upon the estates, and those who only required negro labour at odd times said, and said truly, that they could always get it, and it was well done. But what he was endeavouring to show was that the people could not be depended upon, any more than small freeholders in this country, to work all day six days a week, and he need not ask employers the value of desultory labour. It was not a question of rate of wages, but of command of labour. It might pay a man to give *5s.* a day for six days a week, when it would ruin him to give *2s. 6d.* for three. There were even now planters with a peculiar talent for managing the people, but it was not every one who could coax the negro, as if he were a candidate, for votes instead of a payer of wages. It was enough to say that such relations between employers and employed were wholly exceptional, and could not be taken into consideration in discussing the labour question in any part of the world. It might be stated broadly that when labour for wages ceased to be a necessity of existence to the labouring class the existence of the employer of labour became precarious and eventually impossible, and this had gradually come to pass in Jamaica, except in those fertile plains where there were no waste lands, and where the people, whose strong local attachments prevent their moving, gave their labour more regularly to the estates. As whole districts were abandoned the small freeholders lost the advantage of occasional employment. They had at length killed the goose which laid the golden eggs. The same cause deprived them of a market for their provisions, which, as Sir H. Barkly wrote in 1854, they lost by the cessation of immigration and the return of the immigrants. The loss of inducement to work produced habits of idleness. The idle lived, as elsewhere, by robbing the industrious, and a general feeling of dissatisfaction prevailed, which was increased by the drought of the last two years. Up to a certain point the case of Jamaica was the same with that of the other sugar colonies with superfluity of land and deficiency of population. But Mauritius, British Guiana, and Trinidad were Crown colonies, and as soon as the Colonial Office, after years of ruinous obstruction and delay, discovered that the only way to enable free labour to compete with slavery was to provide a sufficiency, and that this could only be done by immigration under contract, enactments were passed to that end. The system was violently opposed, not only by parties at home, but by those classes in the colonies who did not directly benefit by it. Their opposition was overruled, and now they acknowledged their error, and confessed that they had profited even to a greater degree than the planters themselves. Let him read to the House an account of the results in Trinidad —

> "This system is approved by every class of persons. I conversed with Government officials, planters, missionaries, storekeepers, and coolies themselves. I did not hear a single complaint. Men of the most opposite opinions agreed in this, that immigration is a success. Contrary to anticipation, it has improved the condition of the negroes. The command of coolie labour has increased the growth of the sugar cane. With this there has necessarily arisen a demand for hedges and ditches, drainage, carpenters, coopers, enginemen, &c. The demand for ground provisions to supply the wants of the coolie labourers has increased. The garden produce finds a better market. All these occupations are taken up by the negro. The coolie is therefore no competitor with the negro in the labour market, and no ill feeling exists because of the displacement of one by the other. Coolie labour opens a wide field of exertion to the negro."

Hon. Members would not think this picture was overdrawn, when they heard that it was from the pen of Dr. Underhill. In Jamaica the same short-sighted views were entertained as in the other colonies; but, owing to the Constitution, which gave so much power to those who advocated them in the Lower House, they triumphed to such an extent that either Immigration Bills were thrown out altogether, or departed so widely from the model ordinance, that they were disallowed at home; and, therefore, while the other colonies were augmenting their population, and increasing their products year by year, large tracts in Jamaica were relapsing into wilderness. Since 1843 no less than 313,538 immigrants had been introduced into Mauritius, while in Jamaica, which was nearly ten times larger, there had come only 18,569. Let it be remembered, moreover, that the same Assembly which objected to immigration for the fancied good of the negro, or on the ground of economy, levied the high Customs duties of which the negroes so much complained, maintained many costly and useless offices, and wasted enormous sums in their disputes with the Governors or with the other branch of the Legislature. That ancient body had now terminated its existence by its own act, and he believed it was really a "happy despatch." The present Bill prevented the chance of its coming again to life, and it now rested with the Colonial Office to be doubly careful in the choice of fit Governors to wield the vastly increased power which would now be vested in them.

Mr. REMINGTON MILLS said, that there were only 36,000 members of the Church of England in Jamaica. The revenues of the island were taxed to the amount of £28,000 for the benefit of 100 ministers of the Church, so that not a twelfth part of the population absorbed more than one-tenth part of the whole revenue of the island. The Church was not content with this tenth portion of the revenue of the island, but received out of the Consolidated Fund, under an old Act of Parliament, a further sum of £7,000 a year, which was distributed among certain bishops, archdeacons, &c. There were two bishops attached to the Church in Jamaica. One of them had not been seen in his diocese for many years, and spent his time chiefly in Europe. The other bishop received £2,000 a year. There were also three archdeacons in the receipt of £3,000. If the Church of England wanted bishops and archdeacons, they ought to be maintained out of her own revenues. It was time the House received from the Colonial Secretary an assurance that as these offices became vacant they would not be filled up until Parliament had an opportunity of expressing its opinion. When the Act of Parliament to which he referred was passed, the West India interest was dominant in that House, but the principle now recognized was to leave the maintenance of public worship to the colonies.

Mr. CARDWELL said, he entirely agreed with his hon. Friend, that the general views of Parliament and the country with respect to these ecclesiastical endowments had very much changed since the passing of the Act, imposing the change upon the Consolidated Fund, to which he had referred. He trusted, however, that his hon. Friend would be satisfied with the answer he had given on a former occasion to the hon. Member for Sheffield (Mr. Hadfield), that it would be premature for the Government, in the present state of affairs, to make any declaration with regard to any detailed changes which it was their intention to propose. The Legislature were now engaged in laying the first stone of the new building. When that foundation was laid the Government would endeavour to build upon it the edifice of future prosperity for the colony.

Motion *agreed to.*

Bill read the third time and *passed.*

PRINCE ALFRED'S ANNUITY BILL.

[BILL 43.] SECOND READING.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Sir George Grey.*)

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER moved the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. HADFIELD said, he did not wish to oppose the grant of £15,000 a year; but, looking to the experience which the country had in former years, he thought the grant should be made inalienable. Creditors should not have the means or the motive for extravagance and debt. Those who recollected past times would remember the pain, the dissatisfaction and the disgrace which arose from the want of a provision of this kind. They should not grant such a sum as this for creditors. It was an ample amount to secure the country against such obloquy and disgrace, and as there should be no temptation to traders to give credit to one in the position of His Royal Highness, the allowance should be for his absolute enjoyment. The Blenheim estate was inalienable, and so was the estate purchased for the Duke of Wellington. For public services they made grants with regard to annuities and property which they took care the individual who first received them should not dispose of. He would not mention names in the past, but, hypothetically, might not a person who was to receive an income like this be so incumbered that without it he might be in want? Supposing creditors had the power of coming upon property of this kind, an inducement would be given to credit, and such an inducement, in the case of grants for public services, had led to families being very much incumbered. Since the accession of Her Majesty the prudence, economy, and good management which had marked the Royal Household had given great satisfaction to the country and great strength to the Throne. But if one, possessed of these means, should be seduced by creditors they knew not what might happen. Money might be lost by gambling for instance. Therefore, for the satisfaction of the people who bestowed this magnificent sum on His Royal Highness, which he begged to say he did not begrudge, he hoped to receive an assurance that it would be reserved for his own personal enjoyment.

The CHANCELLOR of the EXCHEQUER: Sir, the remarks of my hon. Friend may be understood as having reference to two perfectly distinct objects, both of which are of great importance in themselves, and both of which may legitimately be held in view by Members of Parliament. The first is the security that there will not be a renewal of the demand made in respect of Prince Alfred, in consequence of the waste and disappearance of this provision. This is one object—that Parliament should know that it will not be called upon to do over again that which it is now called upon to do. Unfortunately, in former times—very different times, which I hope I may say will never return—there were many examples which justified Parliament in exercising a wise jealousy on this subject. With respect to the other object contemplated by my hon. Friend the welfare of the Prince himself, which, as my hon. Friend says, would be seriously compromised if we supposed it possible that this annuity could be improvidently used, I would make this remark. I am bound to say that the more absolute this grant is to the Crown—and this is a grant to the Crown, and not to Prince Alfred—the more does the House discharge itself of responsibility and make it difficult for any renewal of the demand on Parliament. If we were to attempt any limitations on the Crown as to the mode of dealing with the annuity, we should be more likely to lay ourselves open to a renewal of these demands. I speak in the abstract. Practically, as it is not probable the contingency will occur, we need not apprehend any likelihood of the kind. Of the precise legal incidents attached to this annuity it is not for me to speak with great confidence. My hon. Friend will observe that the Bill leaves it to Her Majesty to determine the manner and the conditions of the grant of the annuity. I apprehend that this being a grant to the Crown, and intended for a permanent provision for the Prince, Her Majesty will proceed in the regular course to execute a deed, and on the terms of that deed will depend the precise legal incidents of this annuity. I think I may venture to assure my hon. Friend that this annuity will not be in the position of property which can be conveyed away. Beyond that I do not know that it is possible to go, because we are all perfectly well aware that indirect understandings may be entered into between those who borrow and those who lend, and attempts to fetter or prevent such understandings commonly have no other effect except that of raising the rate of interest on the money lent. I quite agree in the prudence of my hon. Friend's view, with respect to placing this annuity in a position of absolute certainty, so that it may not be taken away from the person for whose benefit it is intended. I confess, however, I think he may rest at ease upon this subject. Having made these observations, which apply to such a contingency as he has mentioned, it is but just, fair, and respectful to the Royal Family that I should say on my own part, and I am sure I may say so on the part of my hon. Friend, that these remarks are made on the one side and on the other on grounds purely abstract and general, and that they have no reference whatever to the case of Prince Alfred, with regard to whom in every respect we have reason to entertain the most favourable anticipations. He is one whose illustrious birth has been accompanied by an education, careful and judicious, as becomes his high station and its responsibilities; who has matured many manly and valuable qualities in the pursuit of a profession which is dear to the people of this country, and who is endowed by nature with gifts and talents which make him in every way worthy to be the son of his distinguished father. It is not, therefore, from anything connected with the character of Prince Alfred—and I am quite sure I am now speaking for my hon. Friend as well as myself—that this short discussion has taken place, but upon the grounds of general prudence which it is the duty of the Government and of Members of Parliament invariably to keep in view.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Thursday, March 1, 1866.

MINUTES.]—Several Lords took the Oath.
SELECT COMMITTEES—On Standing Orders, The Earl of Belmore *added* in the room of the late Earl of Donoughmore; on Cattle Plague (27), The Marquess of Bath *added.*

THE CATTLE PLAGUE—SLAUGHTER OF CATTLE.

PETITION. OBSERVATIONS.

THE DUKE OF BUCCLEUCH said, he had to present a Petition signed by cattle salesmen of Edinburgh, and by several other persons interested in the importation of cattle, praying for the Amendment of the Cattle Plague Bill. The petitioners referring to the Cattle Diseases Act passed the other day, which stated that no animals imported by sea to any port of Great Britain should be removed from that place alive except by sea, said that in a clause in the Bill now before their Lordships' House there was power reserved that animals imported into London, Leith, Bristol, and Liverpool might be removed to certain slaughterhouses under licence of the local authority. In reference to the port of Granton, however, there was no provision, and the petitioners prayed Granton, to which nearly all the trade of Edinburgh in foreign cattle came, might be included in that clause. He wished also to draw their Lordships' attention to the enormous loss which had been inflicted upon a number of persons in consequence of the operation of the Act which had been passed with such extraordinary haste—with almost as much haste as the Habeas Corpus Suspension Act. The result had been that in the northern part of the island the provisions of the Act were not known before it had come into operation. In consequence of this, numbers of animals which had been sent by sea and also by railway had been intercepted at different points of their journey. In one instance seventy animals were landed at Granton from Orkney, and uninfected districts; and yet they could not be taken to Edinburgh for slaughter, because, having come by sea, the railways were forbidden to carry them, and they could not be driven along the highway. Some of them were conveyed by steam tugs from Granton to Leith, whilst others remained at Granton unhoused, with the greatest difficulty to feed them and with no proper means of slaughter. Their Lordships would recollect that the mere slaughter of animals was not sufficient, because the carcasses must be dressed before they could be legally removed from the place of slaughter. He had received a letter complaining that thirteen loaded cattle trucks had also been stopped on the railway at Carstairs, a station which was in the middle of a moor, where there were no means either of housing or feeding the cattle. If the owners had received timely notice of what was about to be enacted, they might have sent the cattle away and so avoided the heavy loss to which they had been subjected, and no less than 5,000 cattle had been stopped at different places; and all this had happened in consequence of the want of proper notice of the Act coming into operation. The loss consequent upon this state of things was a heavy fine to impose upon the unfortunate owners of the cattle because of the excessive haste with which the measure had been forced through Parliament. In conclusion, he moved that the petition which he had presented should be referred to the Select Committee to which the Cattle Plague Bill had been referred.

Motion *agreed to.*

LORD BERNERS rose to call attention to a communication which he had received that afternoon on the subject of the cattle plague. The writer said he regretted to learn that cows were still imported into London from Holland and smuggled into sheds, and that in many instances they came either from infected districts or passed through infected provinces. He trusted that an immediate inquiry into the subject would be instituted. When it was taken into consideration that already no fewer than a million and a half of cattle had been sacrificed, every one must allow that the strictest measures ought to be taken in order to prevent animals from being brought into the country in the manner he had referred to.

THE EARL OF LICHFIELD said, he understood that the Select Committee which had been appointed to consider the Cattle Plague Bill would meet to-morrow, and he therefore wished to know whether the Government intended to insert any provision in that Bill for the proper treatment of cattle conveyed by railroad and in steamboats. In the despatch of Her Majesty's Consul General at Odessa, dated the 8th of January, there was this passage—

> "It is to be observed that the disease rages more violently in the south of Russia than in the north; that it generally breaks out in autumn, and not during the great frosts. Therefore it seems clear that cold is not only far from being the first cause of it, but has not even any influence over it. It is well remembered that before the year 1846 (when free trade in corn began with England), and when Odessa exported much less grain to foreign countries than now, this disease was very rare, but it appeared always after every campaign in the wars with Turkey. Now, these wars occasioned a great deal of cartage for the commissariat of the army. The waggons used by the commissariat were drawn by bullocks, who were thus forced to make long journeys during the great heats of summer across arid steppes where no pasture or wholesome water could be found, the plague soon seized them, and they rotted and died in great numbers."

Again, the Consul General observed—

> "This seems to be really the sole cause of this terrible disease, and the waggons returning to their several homes spread it throughout the country."

The manner in which cattle were treated in steamboats and railway trucks was of itself sufficient to account for the outbreak of disease among the animals. Certainly, it must be well known that when those animals arrived at their destination they were in a conditon which rendered it impossible that they could resist any contagion or disease. He had received from a gentleman a letter containing this statement—

> "A truck containing nine horses was forwarded from Manchester to Stoke yesterday, the horses intended for the knacker's yard at Hanley. On arriving at Stoke four of the animals were dead from suffocation, and the remainder in such a state that Mr. Campbell, the magistrate, ordered them to be killed on the spot. The trucks containing nine horses measured 12ft. 3in. by 9ft."

Animals in the charge of dealers and others frequently had to travel very long distances in steamers and railway trucks; and he feared that in very many instances the poor beasts were without water or food during the entire journey. He hoped that in the Bill now before their Lordships' House the Government would insert a clause for the proper treatment of the animals on railways and on steamboats. The present system was disgraceful.

Earl GRANVILLE hoped his noble Friend would excuse him, but as three or four Questions were now asked each evening without notice, it was time to revert to the regular practice of requiring a notice.

The Earl of LICHFIELD observed, that he had not concluded with a Question, but with a suggestion.

Lord FEVERSHAM asked the President of the Council when it was likely the Select Committee on the Cattle Plague Bill would report, and when the third reading would be taken?

Earl GRANVILLE said, that though the noble Lord had given him ample notice of his Question, he was quite unable to answer it.

RAILWAYS IN THE METROPOLIS.

QUESTION.

The Earl of CARNARVON: My Lords, I rise, in pursuance of notice, To inquire of Her Majesty's Government their intentions with regard to the various Bills affecting Railway Communication in the Metropolitan District now before Parliament. And I do so the more readily in consequence of an opinion intimated in another place a few nights ago, which opinion, I would hope, is not a fixed one on the part of the Government. The intimation to which I allude, my Lords, was to the effect that in respect of the Railway Bills for the metropolitan districts promoted in the present Session, there is no necessity for departing from the ordinary course of legislation. I hope that that conclusion is not final. It appears from the Report of the Board of Trade, which was laid on the table some days ago and circulated among your Lordships, that there are no less than thirty-six different Railway Bills affecting the metropolis at present before Parliament. I understand that these schemes involve capital to the amount of very nearly £20,000,000, and I find that these lines run in all directions and at various levels, some above ground, some under ground, some only partially covered, and some running on the level of the street. I may remind the House of the course adopted in 1863 with respect to this class of Bills. When an almost equally large number of railway schemes were launched, and a panic was created at the consequences which those schemes, if allowed to take their course, would involve, your Lordships will remember that a Committee was appointed to consider the whole question, and they agreed to various recommendations. The undoubted purport of these recommendations was to impress on Parliament the necessity of exercising the greatest care and discretion in dealing with railways in the metropolis—and above all, so to deal with them that there should be a uniformity in the system adopted. But, in order to make the matter more clear, the Committee made a special recommendation to the effect that all the Bills for railways in the metropolis before they went to the second reading should be subjected to a preliminary inquiry, and that after the second reading all such Bills having any connection with each other should be submitted to one and the same Committee. But in the following year, 1864, Parliament went beyond the recommendation of the Committee of 1863. A Joint Committee, consisting of five Members of this and five Members of the other House, were appointed, and they drew up a very valuable Report. They disallowed some Bills; they allowed others to follow the ordinary course of legislation; and as to the rest, they laid down certain principles which were not to be departed from, but which, I imagine, would be departed from if the present proposed Bills were allowed to pass as they now stand. I am very much surprised to see that a similar course has not been adopted in the present Session. But, on the contrary, the Board of Trade wind up a statement on the subject of the Metropolitan Bills by saying it is not necessary that the course taken last Session should be followed now, but those Bills may be dealt with in the usual manner. I confess, my Lords, I cannot see any reason for the conclusion at which the Board of Trade have arrived. It appears to me that, on their own showing, there is the most conclusive reason why Parliament should adopt a somewhat similar course to that taken last Session? If any noble Lord will look to the map attached to the Report of the Board, he will see coloured lines representing railways running here and there, and everywhere; different lines intercepting each other at all angles, and crossing each other at all points. I do not know whether those lines are properly marked; but assuming them to be so, one can see at a glance the necessity for great care in dealing with those schemes. The metropolitan schemes sanctioned by Parliament in 1864 included a mileage of forty-five miles, and involved a capital of £12,700,000. The metropolitan schemes now before Parliament, independent of those which have been abandoned, include a mileage of eighty-seven miles, and involve a capital of £17,600,000 in round numbers. It would appear also, my Lords, that the powers claimed by the promoters of some of those Bills are of a very remarkable character—so remarkable that I venture to bring them under the notice of your Lordships. Power is asked in one case to underpin and strengthen any house within 100 yards of the line without the consent of the parties interested in the premises, which I take it is an application for power to bore under a man's house without giving him any compensation. There is another Bill which asks for compulsory powers to purchase vaults and cellars without being required to purchase the houses to which they are attached. To such an extent is it proposed that power shall extend, that the question of compensation is not to go before a jury, but is to be settled by an arbitrator, appointed by the Board of Trade. I have no doubt that such powers will not be conceded; but I merely mention the circumstance to show how important it is that Parliament should deal with the question as a whole. At the present moment London is in a most indescribably unsatisfactory state. Railway bridges have been thrown across the river just as and where railway companies took a fancy to place them, thereby spoiling past remedy one of the finest river fronts in Europe. Only two years ago, a scheme was proposed for disfiguring the approach to St. Paul's by carrying in the air a huge tubular bridge. Northumberland House and the Savoy Chapel have only escaped destruction recently by the Bill being thrown out in another place. And not only are these railway companies cutting and carving London in all directions, but great injustice is being done to the population as regard their health and comfort. In fact, we are suffering from two opposite causes—the absence of necessary legislation on the one hand, and an excess of legislation conducted in an indiscriminate and haphazard manner on the other. We suffer from an excess of legislation when we sanction conflicting schemes, and we suffer from the total absence of legislation when we allow the suburbs to extend in every direction without making proper and adequate provision for railway access between them and the metropolis. We must remember that every metropolitan railway scheme we sanction displaces a large number of the poorest class of the population. There is a Standing Order of this House which provides that whenever the construction of a railway involves the demolition of any of the lodgings of a given number of the labouring classes at least eight weeks' notice shall be given before the occupants are ejected. That is a very proper and considerate Order; it perhaps would be difficult to carry it much further, but clearly it is an Order which does not meet the full difficulty of the case. If the houses are taken it is exceedingly doubtful whether the tenants, even with eight weeks' notice, can find in the immediate neighbourhood new lodgings for themselves, and if they do succeed they do so only to discover that the price of lodgings has become enormously enhanced. In a calculation which I was observing some time since, and from which I saw no cause to differ, it was argued that taking the wages of a labouring man at thirty-five shillings per week—a very high figure—he had often to pay seven shilings a week for a couple of rooms, which is equivalent to a tax of 20 per cent upon his total earnings. If this be so it is a tax which is almost without parallel in weight. One railway company, of which a Member of your Lordships' House is chairman, has wisely built lodging-houses on land adjoining their railway for the labouring classes. I do not know that it would be wise, or indeed possible, to require all railways to adopt the same course; but these are points which deserve to be considered in connection with the great alterations which are proposed to be made in the metropolis in reference to railway communication, and though there are undoubtedly several modes of procedure, I think they can be best considered by a Joint Committee appointed by both Houses of Parliament. The Board of Trade say they see no reason for departing from the ordinary course of business, and I regret that they have come to that conclusion. But the Government ought not to put aside their duties even though the Board of Trade counsel them to do so. I think the Government ought to take the responsibility of dealing with the question as a whole upon themselves. In 1843 or 1844, when these railway cases first came before Parliament in considerable numbers, Lord Dalhousie, then President of the Board of Trade, drew up, as I have always heard, a scheme, in which he laid down certain broad lines of railway communication through the country. It is much to be regretted that scheme was not carried out. It would have saved a great amount of time, the expenditure of a large amount of capital, enormous litigation, and the misapplication of extensive railway funds; but as it is, time, labour, and money have all been squandered, leaving comparatively little to show for the outlay. No doubt I shall be told that the population of this great town is continually increasing, and that it requires accommodation in accordance with its growing wants. I do not deny that. If it is necessary to have five, ten, twenty, or thirty railroads in London, by all means have them; but let them be considered as a whole by some competent tribunal, which may be able to lay down a scheme complete both as to existing lines and in reference also to the future wants of the community. I shall be glad to hear from Her Majesty's Government what their intentions are with regard to these railway schemes.

Earl RUSSELL: The noble Earl is under a misapprehension with regard to some points, and especially in reference to the Board of Trade. My right hon. Friend the President of the Board of Trade has had the question under consideration, and has decided upon introducing a measure into the other House of Parliament, which measure is now nearly prepared. The Bill, although it has not been considered solely with regard to the attainment of the particular objects adverted to by the noble Earl, will, I believe, afford considerable facilities for carrying out those objects. As to the Question of the noble Earl, it is, no doubt, the duty of the Government, and more especially of the Board of Trade, to give an important subject of this nature every consideration in their power. The noble Earl wishes to know whether it is proposed to adopt the plan carried out in 1864, when a great number of Railway Bills which had come before Parliament were referred to a Joint Committee of both Houses of Parliament for consideration. But the Board of Trade after considering the matter are of opinion that the Bills presented this year are so few that there is no reason why they should not be dealt with in the usual manner—namely, by a Committee of each House in its turn. The number of Bills at the commencement of the Session, however, was larger than it has since become, because no less than ten of them have been withdrawn, and of those remaining not more than two are expected to cause any difficulty or occupy any large share of your Lordships' time. That being the case, I think my right hon. Friend the President of the Board of Trade exercises a wise discretion in permitting them to be dealt with in the ordinary way. I think this is all I need say in answer to the Question of which the noble Earl has given notice. It will be observed that it deals simply with those Bills touching railway communication in the metropolis; but he has supplemented his observations on that point by others connected with metropolitan railways generally. He has made some remarks respecting the demolition of houses by railway companies, and thus started a very wide question. He has also spoken upon the subject of Private Bill legislation generally. These questions, however, are entirely beside that of which the noble Earl has given notice, and I am not at present prepared to express an opinion upon them. But, at the same time, I should be glad to listen to any suggestions the noble Earl has to throw out respecting these questions, and give them my best consideration.

Lord REDESDALE said, that several of the Railway Bills proposed to be submitted to Parliament had already been withdrawn, and those which remained could well be considered by a single Committee to whom they had been referred; therefore, he did not think in that case any necessity existed for the appointment of a Joint Committee of both Houses to deal with them. But with regard to the question of railway legislation, and the manner in which railway schemes were promoted, it had become so serious that he thought he should feel himself bound to call their Lordships' attention to the subject. It was a fact that at the present time no capital was fairly found for the promotion of schemes which came before Parliament; and that was, in his opinion, one of the reasons why so many of them broke down before they had passed through many stages, if they did not collapse altogether at the door of the House. The system had now reached such an excess of abuse that he felt Parliament was bound to interfere and say what should be done in the future.

EARL **RUSSELL**: I am glad to hear the observations which have fallen from the noble Lord. He is far more competent to bring forward such a question than I am, and I should be glad if he would do so.

SCHOOLMASTERS (IRELAND).

MOTION FOR A RETURN.

LORD **DUNSANY** moved an Address for—

> "Return of all Schoolmasters arrested in Ireland for Ribbonism, Sedition, or connection with the Fenian Conspiracy from 1st January 1860 to the latest Date ascertainable; such Return to specify whether the Person arrested was a Teacher in a National School, Endowed School, or Private School; whether the Patron of such School was a Layman, a Clergyman of the Church of England, or a Roman Catholic Priest; also whether the Schoolmaster arrested was appointed by the Government or by the Patron; and whether educated in a Normal School or elsewhere."

LORD **DUFFERIN** said, the Government would direct the Return to be made, so far, at least, as the particulars referred to by the noble Lord were ascertainable.

Motion *agreed to.*

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 1, 1866.

MINUTES.]—NEW MEMBERS SWORN—Richard Arkwright, esquire, *for* Leominster; Earl of Brecknock, *for* Brecknock; Marquess of Hartington, *for* Lancaster County (Northern Division).

SELECT COMMITTEE—On Public Offices (Site) *nominated.*

SUPPLY—*considered in Committee*—NAVY ESTIMATES.

WAYS AND MEANS—*considered in Committee.*

PUBLIC BILLS—*Ordered*—Entail (Scotland).*

First Reading—Entail (Scotland)* [45].

Second Reading—Exchequer and Audit Departments [3].

Third Reading—Cattle Diseases (Ireland)* [37], and *passed.*

PRISONS ACT.—QUESTION.

MR. **HIBBERT** said, he would beg to ask the Secretary of State for the Home Department, Whether any arrangements have been made to ensure the uniform carrying into effect of the Prisons Act of last Session; and, if so, whether such arrangements include the appointment of an additional Inspector of Prisons?

SIR **GEORGE GREY**, in reply, said, the correspondence on the subject had been laid upon the table. It was in the hands of the printers, and would shortly be delivered to hon. Members, when it would be found to give full information with reference to the carrying into effect the Prisons Act of last Session.

MR. **HIBBERT** said, he wished to know if it would refer to the appointment of an additional inspector?

SIR **GEORGE GREY** said, the correspondence would show the course intended to be taken.

WORKS AT ALDERNEY.

QUESTION.

MR. **BAXTER** said, he would beg to ask the Secretary of the Treasury, If any time has been fixed for bringing to a close the enormous expenditure at Alderney, and if the Estimate of £1,300,000 was to be exceeded?

MR. **CHILDERS**: Sir, the total expenditure at Alderney to the 31st of December last is stated in the Estimates, now in the hands of hon. Members, to have been £1,175,346. To complete the work to the point known as D, without constructing the eastern arm, will cost less than £100,000 more, of which amount £50,000 will fall on the present financial year, and the remainder on the financial year 1866-7, but there is also a claim on the part of the contractors on account of damage done in the gales of last year which may slightly increase this amount. But all the work which Government now contemplates doing is expected to be completed within the £1,300,000, and the final payment will be in 1867-8. The House will remember that an Act was passed last year transferring Alderney from the Admiralty to the Board of Trade, and no further work would be undertaken there except on the recommendation of the Board of Trade to the Treasury. The formal transfer has just been completed, but I have no reason to expect that my right hon. Friend (Mr.

Milner Gibson) contemplates any further works there.

DEAN AND CHAPTER OF WESTMINSTER.

QUESTION.

MR. BENTINCK said, he would beg to ask the Secretary of State for the Home Department, Whether the Dean and Chapter of Westminster are about to surrender their Capitular Estates to the Ecclesiastical Commission; and, if so, whether they are to receive in exchange an annual "commutation" payment, and of what amount, or a re-transfer of a portion of the Capitular Estates, and of what annual value; and whether any and what arrangement has been come to upon such surrender for securing adequate stipends to the Non-capitular Members of the Collegiate Church? He also wished to ask if the scheme was prepared, and whether the right hon. Gentleman will lay it on the table?

SIR GEORGE GREY: I am informed that the Ecclesiastical Commissioners are in negotiation with the Dean and Chapter of Westminster for a commutation of their capitular estates, but that the terms of the transfer have not been yet settled.

ORNAMENTAL WATER IN REGENT'S PARK.—QUESTION.

MR. HARVEY LEWIS said, he wished to ask the First Commissioner of Works, Whether his attention has been called by the Medical Officer of Health for the parish of St. Marylebone to the dangerously filthy condition of the Ornamental Water in the Regent's Park, and whether he proposes to take any steps to cause the same to be cleansed; and whether he has any objection to lay upon the table of the House the Report and Analysis of the same forwarded to him by the Medical Officer.

MR. COWPER, in reply, said, before sanitary facts were attended to the owners of houses used to drain them into the nearest river or ornamental water. This practice prevailed to some extent in Regent's Park, and in 1862 he discovered that the sewage of one of the villas was flowing into the ornamental water. He then succeeded in diverting the sewage, and last year, during the hot weather, the medical officer of Marylebone reported to him that there was a smell from the ornamental water which was very disagreeable and injurious to health. He then had to consider what was to be done in that state of things, and whether he ought to draw off the water and clear out the mud; but the exposure of decomposing mud would have been dangerous to health and very disagreeable, and he caused two millions and a half of gallons of water to be poured into the lake, and since that time the water in the lake had been higher in consequence of the rains, and no unpleasant effluvium had been apparent. He was prepared to lay on the table of the House the documents to which the hon. Gentleman alluded.

LOSS OF THE "LONDON."

QUESTION.

COLONEL WILLIAMS said, he wished to ask the President of the Board of Trade, When the Report of the loss of the ship *London* will be laid upon the table of the House; whether it is the intention of Her Majesty's Government to take any steps for the better regulation of Passenger Ships generally, and the introduction of more stringent enactments as to their equipment, cargo, and crew; and whether some restraints should not be put on the departure of such Vessels under circumstances that threaten danger?

MR. MILNER GIBSON: Sir, the Report relating to the loss of the *London* shall be laid on the table immediately. The *London*, as to her construction and equipments, had been inspected and passed as a good ship by three sets of surveyors —namely, Board of Trade surveyors, Emigration surveyors, and Lloyd's surveyors. The Emigration surveyors exercised a control over her departure till the last moment before her sailing. It is not the intention of the Government, as at present advised, to propose any Bill containing more stringent enactments respecting the equipment, cargo, or crews of passenger ships.

EAST INDIES—THE INDIAN BUDGET.

QUESTION.

MR. J. B. SMITH said, he rose to ask the Under Secretary for India, When the India Budget is to be brought forward; whether the late Secretary of State for India has communicated with the Government of India, as he promised this House in 1864, as to the practicability of making up the Indian Finance Accounts to a period which would enable him to lay them upon the table of the House at the opening of the Session of Parliament; and whether it be the intention of the Secretary of State for India in future to make such arrangements as will enable him to bring forward the Budget at the beginning of the Session, instead of at the close, as heretofore.

Mr. STANSFELD, in reply, said, his noble Friend the late Secretary of State had communicated with the financial member of the Council, to whom the subject had been referred. The answer he received was under the consideration of the present Secretary of State, but it did not appear to be sufficiently definite. The Indian Government had been officially communicated with, and when their answer was received he would communicate it to the House.

Mr. J. B. SMITH: When does the hon. Gentleman expect to receive the answer?

Mr. STANSFELD: The communication has only been ordered to-day.

Mr. J. B. SMITH: The hon. Gentleman has not answered my first question.

Mr. STANSFELD said, that the finance accounts would be laid upon the table, according to the provision of the law, before the 14th of May; and, as far as the Indian Department was concerned, he should be prepared to introduce the Budget on the earliest day afterwards consistently with the necessities of public business and the convenience of the House.

METROPOLITAN RAILWAYS.

QUESTION.

Colonel WILSON PATTEN said, he wished to ask the President of the Board of Trade, Whether the Government propose to introduce any measure relating to the Standing Order of which the hon. Member for Lambeth (Mr. T. Hughes) had given notice?

Mr. MILNER GIBSON: I presume, Sir, the Question of the hon. and gallant Member refers to a Bill which I introduced last Session containing certain clauses in the public interest with the view of its being incorporated in any special Railway Act affecting the metropolis. That Bill would not have met the proposal of the hon. Member for Lambeth, as his suggested Standing Orders are to apply to all companies asking powers to take lands and houses for any kind of works. Our Bill was limited to railway companies. We are in communication with the Metropolitan Board of Works on the subject of the Bill we introduced last year, and I hope to be able to lay it on the table shortly.

Colonel WILSON PATTEN: Will it be convenient to introduce the Bill of the Government before the discussion of the hon. Gentleman's (Mr. T. Hughes) Standing Order?

Mr. MILNER GIBSON: I will undertake to bring in the Bill in the course of a few days.

PARLIAMENTARY REFORM.

NOTICE.

The CHANCELLOR of the EXCHEQUER: I wish to give notice that on Monday, March 12, I will call the attention of the House to so much of Her Majesty's gracious Speech as relates to the constituencies of counties and boroughs, and move for leave to bring in a Bill founded thereon. I may also state that the Returns which are in preparation for the information of the House, and which will amount to a volume of several hundred pages, are undergoing a final revision; but I cannot promise that they will be in the hands of Members till the end of next week, and possibly not until even the day after my statement. No time, however, shall be lost in placing them on the table.

Viscount CRANBOURNE: Does the right hon. Gentleman propose that the Bill shall be read a first time before the statistics are in the hands of Members? If so, it will be in direct contradiction to the statement in the Queen's Speech.

The CHANCELLOR of the EXCHEQUER: I am not aware of any such contradiction. My Motion will be for leave to bring in a Bill. After that Motion is granted it will be quite competent for any hon. Gentleman to raise the question as to the first reading of the Bill. ["No, no!"] I say it is perfectly competent to raise the question on the first reading. ["No!"] Well, then, Sir, I am in your hands.

Mr. SPEAKER: When a Bill is brought in it is at once read a first time.

The CHANCELLOR of the EXCHEQUER: When it is brought in, then. I do not know what the noble Lord (Viscount Cranbourne) means when he speaks of a direct contradiction to Her Majesty's Speech. However, I will refer to the terms of Her Majesty's Speech, and then I shall be prepared to-morrow to answer that part of the Question.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DEVONPORT ELECTION.—QUESTION.

SIR JOHN PAKINGTON in rising, pursuant to notice, to call the attention of the Government to certain statements as to the manner in which Dockyard workmen who are Voters for the Borough of Devonport have been examined in the Dockyard with reference to their intended evidence before the Election Committee for that Borough, and to ask for explanation, said: I am sincerely sorry that I am compelled by a sense of duty to ask the attention of Her Majesty's Government, and of the House, to the statements that have been laid before me with regard to certain proceedings that have been taken during the last few days in the borough of Devonport. I confess I had hoped that the day of political scandal and intimidation, or even of the suspicion of either in our dockyards, had passed away; and I very much hope that my noble Friend opposite (Lord Clarence Paget) may be able either to state that I have been misinformed, or to offer a satisfactory explanation with regard to the allegations that I am about to lay before the House. Sir, the facts to which I wish to draw attention are very simple, and I think I shall be able to state them in a very few sentences. The first fact to which I wish to call attention is a telegram which I am informed was sent down by the Admiralty to the borough of Devonport last week. It is dated February 20, but it was not sent down to Devonport until the following day, the 21st. The wording of the telegram is as follows:—

> "Admiralty, Feb. 20, 1866.
>
> "Every facility is to be given for serving the Speaker's warrant on the workmen in the yard in the case of the petition against the sitting Members for Devonport.—For the information of the officers."

I wish to ask a few questions relative to this telegram. In the first place, By whom was it sent?—by the noble Lord opposite (Lord Clarence Paget), or by Mr. Romaine, the permanent Under Secretary? and, if it were sent at all, it was sent by order of the First Lord of the Admiralty, or the Board? In the second place, I wish to ask to whom this telegram was sent? I presume, and I do not think my noble Friend will contradict me, that no order would be communicated to the officers or the workmen of the dockyard except through the medium of the Admiral Superintendent. I must inform the House that I know nothing personally of what has been going on at Devonport; but I am informed that the duties of the office of Admiral Superintendent of the dockyard were never more ably or more honourably performed than by Admiral Symonds, the present Admiral Superindendent. I am especially informed that no officer ever held the office of Admiral Superintendent of the Dockyard at Devonport who has more honourably and scrupulously observed the strict injunctions given against political interference in the yard. I therefore, Sir, desire to know whether the Admiral Superintendent was called upon to carry out this telegram?—because I am convinced, from what I know of this officer, that he would not have acted upon this telegram unless he had direct injunctions from head-quarters. I ask, then, to whom this telegram was sent?—but the most important question I wish to put is this, Why was it sent at all? Why was it necessary for the Board of Admiralty, either through the Admiral Superintendent or any other agency, to interfere in the proceedings preliminary to the trial of the petition against the return of the Members for Devonport? Every voter who is a workman in the dockyard is a resident in the town of Devonport, and every such workman votes as a £10 householder; they are all easily accessible at their places of abode, which are perfectly well known; and therefore I wish to know what is meant by it when I am told that the Lords of the Admiralty have telegraphed that every facility is to be given for serving the Speaker's warrant? What facilities were wanted? How are the Speaker's warrants served in those boroughs where there happens to be no dockyard? How are they served in Devonport upon voters required as witnesses who are not workmen in the dockyard? As a matter of course in every case of a controverted election it is the constant practice to serve the voters with these warrants at their own houses. What reason was there, then, for telegraphing that facilities should be afforded in this particular instance for serving these warrants upon the workmen in the dockyard, instead of leaving them to be served at the voters' houses in the regular and ordinary course? This is the first point on which I wish to elicit information from my noble Friend. I now pass to the manner in which the instructions of this telegram were carried out. The telegram, as I have stated, was sent either on Tuesday, the 20th, or Wednesday, the 21st, and on this day week (Thursday, the 22nd) I am informed that the messengers and principal officers of the yard were employed, early in the morning, in going round the yard with a list of the names of the men, and giving them to the inspectors and leading men, with directions for the men to attend in the sail-room at ten o'clock—the workmen here alluded to, some thirty or thirty-five in number, being workmen in the yard who had given their votes for the present Members for Devonport, Mr. Ferrand and Mr. Fleming, were on that day ordered by those officers to assemble in the sail-room of Devonport Dockyard. I understand that that sail-room is now used as a police-office by the Government police acting in the dockyard, On Thursday, the 22nd, at ten o'clock, these thirty or thirty-five dockyard workmen were taken away from the discharge of their duties—taken away from the work for which we are about to pay by our Votes in Supply—and were assembled in that police-office. The only persons at that time in that police-office who were not either policemen or workmen in the yard were first of all the town-crier, who, I understand, is a very warm political partizan, an attorney in the town, who is a solicitor for the petitioners, and a gentleman not known to the parties, but who, I believe, is an agent of the petitioners, and was sent down from London. Well, when these thirty or thirty-five workmen were brought together, one of them—for the sake of the men I had better not mention names—was called forward and subjected to examination by these hostile examiners. He was called upon to criminate himself. He was asked whether he had accepted bribes for his vote at the election, and when he denied any such illegality he was then cross-examined in an offensive and hostile manner as to his powers of memory, and even questioned, I believe, whether he recollected his own birthday. After this examination he was dismissed; and I am informed that the examination of the first man not turning out quite satisfactorily to the examiners, as soon as it ceased an inspector of police was called in who desired all the voters so assembled to go outside the building, which they did. Thereupon, the men were called in one by one, and singly exposed to the same system of hostile examination, cross-examination, and attempts to make them criminate themselves which had been adopted towards the first workman. These are the main facts as regards what took place on Thursday, the 22nd. I am informed that on Friday the same sort of scene was repeated. Some fifteen or twenty voters were brought together in the same place and served with the Speaker's warrant: and I have heard that similar proceedings have taken place on subsequent days. Here, I must again ask, What reason was there for all that? What could have been the motive for bringing these voters to the police-office and thus calling on them to criminate themselves, under circumstances which, without at all wishing to prejudice the matter, I must say, unless they are fully explained, unavoidably inspire in one's mind the suspicion that the object was to intimidate and alarm these men? The warrants might have been served—it appears to me they ought to have been served—at their residences, after their hours of work were over. Instead of that, however, all these men—between thirty and forty on the Thursday, some twenty others on the Friday, and more I am told since then—were taken from their labour, they were each absent from it, on an average, for an hour and a half—in some cases less, in others, as much as two hours; and this amount of labour of fifty or sixty men was withdrawn from the yard, and for what? To submit to a process which could have been more conveniently, and, as I contend, far more properly carried out at their own houses. There is another fact to be noticed, to which, however, I would not attach undue importance—namely, that one of the petitioners on whose behalf this telegram was sent, or on whose behalf these men were withdrawn from their work and brought to be examined in the police-office, is an official of the Board of Admiralty—a gentleman well known to all of us, I mean Mr. Phinn, who long held the office of Secretary to the Board of Admiralty, and is now their standing counsel. These, Sir, are what appear to me, to say the least, to be the most unusual circumstances connected with the manner in which the service of these warrants took place; and after all that has passed in former years—I hope the case will never arise again—I believe the House would feel that I should fail in my duty if, when these alleged facts were brought before me, I did not call upon the noble Lord opposite to give some explanation of the reason why the ordinary practice on such occasion has in this case been departed from — and this under circumstances which, as I have before said, are attended with some degree of suspicion. I need not detain the House any longer, but simply beg to ask my noble Friend opposite in the first place—Are the statements which I have made correct? Have I been rightly informed or misinformed? And, in the next place, if I have been rightly informed, I have to call on my noble Friend to state whether he is able to offer any satisfactory explanation of circumstances which, I must say, on their first aspect, wear an appearance of grave impropriety and irregularity.

LORD CLARENCE PAGET: Sir, I am bound to say that the right hon. Gentleman opposite, in bringing this matter before the notice of the House, has not accompanied his speech with any very strong remarks; but, on the contrary, he has made a temperate statement, and calls upon me to reply as to how far it is correct. I will, therefore, in a very few words explain all that I know of this transaction. The right hon. Gentleman first asks me whether I was cognizant of the telegram that was sent from the Admiralty to the Admiral Superintendent at Devonport. Well, what I am about to read to the House will show that it so happens that I was not cognizant of this transaction until it was brought to my notice by him. On Monday evening my right hon. Friend came to me in the lobby and said, "I find it necessary to give a notice for Thursday next, which I request you to read." This is the paper which he placed in my hands—

> "To call the attention of the Government to certain statements as to the manner in which dockyard labourers, who are voters for the borough of Devonport, have been examined in the dockyard with reference to their intended evidence before the Election Committee for that borough, and to ask for explanation."

Now, thinking this looked serious, I asked my right hon. Friend whether he would allow me to retain a copy, in order that I might write to the Superintendent and inquire what had occurred. My right hon. Friend consented; and, accordingly, that evening I enclosed the notice in a note to the Superintendent, Admiral Symonds, asking for full information. I was pleased to hear my right hon. Friend give Admiral Symonds credit for being above acting on any political consideration whatever. I got a letter next day from the Admiral Superintendent, which I am permitted to read, and which was as follows:—

> "H.M.'s Dockyard, Devonport, Feb. 27, 1866.
>
> "My dear Lord Clarence Paget,—I send you copies of the orders under which I have acted, also of the applications made to and approved by me in obedience to the two orders, which contained the same words, 'on workmen in the yard.' I therefore ordered that the people sought and applied for should assemble at the hour requested in a quiet part of the yard, instead of their being sought separately at their work—

[*Laughter.*] Hon. Gentlemen no doubt think it very diverting; but I believe they will see that the course which the Superintendent took was the best for the public service. He goes on to say—

> "Where they saw the parties applying by Speaker's warrant, and were perfectly uninterfered with by their own officers. You have everything I can think of.—Yours faithfully,
>
> "T. M. SYMONDS."

And the Admiral makes a remark at the end of the letter which I commend to the attention of hon. Gentlemen on both sides of the House. He says—

> "Is not this much in favour of disfranchising dockyards?"

On inquiry at the Admiralty I found that my noble Friend the Duke of Somerset had received a letter, which I will read to the House. It is dated from 43, Parliament Street, the 20th of February, and is from Messrs. Travers, Smith, and De Gex—

> "We have the honour to inform you that a petition has just been presented against the return of the sitting Members for the borough of Devonport. A large number of the witnesses who will be required to attend on the Speaker's warrants are employed in the dockyard, and the hours of their attendance are very long. It would not be necessary that they should be disturbed at their work for more than a few minutes in the case of any witness, but it would be a matter of very considerable inconvenience and annoyance to the men, as well as of the utmost possible difficulty to ourselves as agents having the conduct of the petition, if it were necessary to find them at their own residences after the hours of work. Under these circumstances, we have to request that we may be favoured (should there not be any objection to such a course being taken by the Department) with a letter addressed to the Port Admiral requesting that officer to afford our chief clerk facilities for serving the Speaker's warrants in the dockyard, and seeing the men during hours of work for that purpose. We believe we are not wrong in saying that in an analogous case pending before the courts of common law where it would be necessary to serve a subpœna this facility would be given. We may mention that the Speaker's warrants went down by special messenger this morning, and we shall, perhaps, under these circumstances, be permitted to beg that our request may receive immediate attention.—We

have the honour to be, Sir, your very obedient and faithful servants,

"TRAVERS, SMITH, and DE GEX."

The Duke of Somerset upon this sent the following telegram to Devonport yard:—

> "Every facility is to be given for serving the Speaker's warrants on workmen in the yard, in the case of the petition against the sitting Members at Devonport."

That was the telegram, and a letter to the same effect was directed to the Admiral Superintendent by the same night's post. Now my noble Friend (the Duke of Somerset) is a man who, as every one will admit, is known to be extremely fair. The letter is dated "Admiralty, Feb. 20, 1866," and is as follows:—

> "In confirmation of my telegram of this day, their Lordships desire that every facility may be afforded for serving Speaker's warrants on workmen in Devonport yard, in the case of the petition against the sitting Members for Devonport. By command of their Lordships,
>
> "W. G. ROMAINE."

The Duke of Somerset considered that there were two dockyards against the Members for which there were petitions pending, and he decided that the proper course was to give the Superintendents directions to afford facility for inquiry. Now, Sir, I understand that your warrant has access to all public establishments, and the fact of these Parliamentary agents applying was a mere matter of courtesy, as they had a perfect right to enter the dockyards with your warrant every hour of the day. And the Superintendent had either of two courses to follow—to allow these persons to go into the workshops, disturbing the men and causing a certain degree of excitement, or to ask the names of the men and the hours at which they were wanted. The latter was the course which the Superintendent took. He desired that the names of the individuals wanted should be sent; and instead of allowing the clerks of the Parliamentary agents to disturb them in their workshops, he directed that the men should be sent to the same spot. That such was the course which was taken will be seen from what I am now about to read. The persons armed with the Speaker's warrant wrote on the 21st of February to the Superintendent to say—

> "Sir,—We have Speaker's warrants to serve on the following persons in the matter of the Devonport election petition."

Then follow the names. My right hon. Friend is perfectly right in stating that I believe upwards of fifty men were taken away from their work for an average of about an hour and a half. I lament equally with him that such a proceeding was necessary. On the 22nd the same persons requested "the attendance of the under-mentioned dockyard men at the sail-room of Her Majesty's Dockyard;" and again on the 26th they asked for a certain number of men. Now, I will appeal to the House whether the Duke of Somerset could, on the representation of those persons that they were armed with the Speaker's warrant, refuse to give them access; and if that be so, whether it was not his proper course to order the Superintendent to give them facilities; and, again, whether it was not better that the Superintendent, having the names of the men given to him, should direct them to go to the sail-room—a large empty room—than to have the lawyers' clerks go into the workshops and disturb the men while they were at their work, in order to take the evidence of the men? I can only say, in conclusion, that the same course which has been pursued at Devonport will be followed at Portsmouth, where also, unhappily, there is a petition pending; but I think it is a matter which both sides of the House should consider whether the workmen in the dockyards should be disfranchised or not.

VISCOUNT CRANBOURNE: The latter part of the noble Lord's speech appears an anticipation of a proposition which we are to expect on the 12th of March. I think it will be convenient to defer the consideration of that question until we have arrived at the much wished-for day. Coming, however, to the subject immediately before the House. I do not know whether the answer given by the noble Lord to my right hon. Friend's Question will be considered by the House as exceedingly satisfactory. I confess for my own part, when I hear any person accused of a particular charge praised for his excellent character, I am inclined to think that there is nothing else to be appealed to; and, therefore, when the character of the Duke of Somerset is praised by the noble Lord—a course which is universally adopted at the bar, but never when any other course is open to the defence—I think the noble Lord misapprehended the real nature of the charge made against the dockyard authorities. There is no doubt, Sir, that your warrant has access to all the dockyards, and if these workmen had merely been assembled together and the warrant placed in their hands, no human being could have a word to say against it. But what really happened was this—The counsel for the petitioners were given a facility for getting up the case for the petitioners during the time when these workmen were earning public money, and under the sanction of officers to whom these men look for their daily bread. I want the House to imagine in what light the workmen looked upon the attorneys' clerks who were authorized to subject them to a hostile examination. They were summoned by their own authorities, they were taken to "a quiet part of the yard," and a gentleman came forward, called them out in an authoritative manner, and subjected them to a cross-examination, which no one had a right to do except in a court of law; and, as I understand, two policemen were actually employed to enable them to carry it out. Now, this House has always shown the greatest jealousy of the interference of executive Governments in the conduct of an election. We know how these things are done in France; and the spectacle of what goes on there has perhaps sharpened our zeal to prevent any imitation of them on this side of the water. Therefore the slightest expression of preference for any candidate on the part of any officer in the employment of the Executive has always been looked upon by this House as deserving of censure. The House will recollect the deep censure that was passed on an officer of the Admiralty, because he was seen in company with a candidate for a dockyard constituency. But this case is at least equally bad—it is taking distinctly the part of one of the candidates, and every man in the dockyards must know that they to whom he looks for support are plainly aiding those who desire to upset the case of those who sit for the borough. But this is not the gravest part of the matter. Supposing the evidence of these men to be true, I think the case is bad enough; but, supposing it should turn out to be false—supposing it should appear that some of these men, having been submitted to this sharp cross-examination under the sanction of the Admiralty, come and give perjured evidence to the House of Commons, and this be afterwards proved—what do you imagine the public will believe, and what will they have a right to believe? Why, that some subordinate officer of the Government has been engaged in suborning evidence for the purpose of ousting a Member opposed to the Government. And if the case rest on perjured evidence, the responsibility will lie with those that have illegitimately assisted in procuring it. I am sorry this way of putting the question is so distasteful to hon. Members on the Ministerial side of the House, but I will test their opinions in this way: I will ask, do they suppose that, if the Portsmouth Election Committee had come first and Devonport afterwards, the electors of Portsmouth would have been taken into "a quiet part of the yard," and that the Conservative attorney would have been allowed to cross-examine them? If the noble Lord will answer me that question in the affirmative, I will give him credit for great presence of mind. [Lord CLARENCE PAGET: I did not hear the question.] The question is this—Supposing the Portsmouth election case had come first, whether he imagines that a similar telegram would have been sent down to that port, and the electors gathered into a quiet corner of the yard to be cross-examined by the Conservative attorney?

LORD CLARENCE PAGET: I believe the same course would have been pursued.

VISCOUNT CRANBOURNE: Well, I will keep my promise, and I give the noble Lord credit for the utmost presence of mind. Is there any other virtue you would wish me to ascribe to him? I do not wish to pursue this discussion further. I hope, however, that the Election Committee upon the case will take into their serious consideration the statements that have been made this evening, and will consider what weight they are to attach to the evidence sent up to them by the electioneering agents.

MR. LOWE: I entirely agree with the noble Lord who has just sat down (Viscount Cranbourne) that an impropriety has been committed in this case. It is quite clear to me it was not right that these men should be cross-examined by the attorney for the petitioner in the dockyard, and in the manner described, because they must necessarily have felt that they were under duress to answer questions which it is not likely they would have answered if put to them in their private houses. Looking at the matter fully and fairly, it is quite clear that the question we are really concerned with is, not whether the clerk of the petitioners may have been a little over-zealous in pressing this matter, and have availed himself to the utmost of the advantages he obtained, but whether any serious blame or discredit rests upon the authorities by whom he was enabled to take this advantage. I listened as carefully as I could to the statements that have been made, and it appears to me that all that was done by the authorities of the Admiralty in London, was to permit the Speaker's warrant to be served in the dockyard. That, I think, was perfectly reasonable. It was more convenient for the petitioners to execute their warrant at the dockyard, and probably it was more convenient for the men than if they had been waited upon at their own houses. In this way time and expense were saved—though that, perhaps, is not a matter much considered in election petitions. I think these circumstances ought not to be lost sight of; and I am not able myself to say that the Admiralty authorities are in any degree to be blamed in permitting the execution of the warrant in the dockyard. Whatever was done beyond may have been a matter of indiscretion or oversight on the part of the local authorities of the port. I am not, however, of opinion that because this authority was in some degree abused in the manner I think it was, from the facts stated by the noble Lord the Secretary for the Admiralty, there is any ground for a charge against the nobleman who has presided over the Admiralty during the last seven years—I am sorry to say, probably from circumstances not under his own control, without giving us a satisfactory new ship or new gun—but certainly without the slightest stain on, or doubt respecting, his absolute integrity.

SIR HUGH CAIRNS: I cannot agree with the right hon. Gentleman who has just sat down, in absolving the heads of the Admiralty from all blame in this matter, although, perhaps, the consequence of the permission given by the Duke of Somerset was not, in the first instance, properly attended to. Now, let us observe how the case stands. We all know that, according to the best authorities, the warrant of the Speaker can be served perfectly well, not personally, but by being left at the dwelling-houses of the persons required to give evidence. All that was necessary on the part of the agents for this petition was the service of the warrant. They knew where these men lived, and all they had to do was to leave the warrant at the dwelling-houses of the witnesses. But I must do the agents the justice of saying that nothing could have been more explicit than the statement they made to the Duke of Somerset. In the letter to the noble Lord, if I correctly heard the words, the agents of the petitioner in substance said, "We have got the Speaker's warrant." Here let me observe that the ordinary course of procedure before you get the Speaker's warrant is to find out the persons who are to be called as witnesses, and then to obtain the warrant and serve it on them; but the agents do not stop there; they say, "We have got the Speaker's warrant to serve upon these men; we know very well where they live, and we also understand that they are employed for a number of hours in the dockyard. We want some conversation with the men which will take a considerable time; but this we cannot obtain at their own houses." ["Oh, oh!"] I am not repeating the exact words of the agents; but I think, that if the noble Lord will read the letter again he will find that it bears this interpretation. The agents say, "We must have some time with the voters for conversation, which can only be obtained at the dockyard." Now, my belief is that the proper way of serving the Speaker's warrants is either personally or at the dwelling-house. Well, what does the head of the Admiralty say in his letter? He says, in effect, "I will put the men at the disposal of the agents, allow them to be assembled in a quiet part of the dockyard, and cross-examined to the extent required." I am quite willing to believe that the Duke of Somerset did not perceive the consequences of granting such a permission. But any person on reading the letter of the agents ought to have seen that their object was to get the authority of the heads of the Admiralty in order to obtain what the Scotch call a precognition of these witnesses. Observe what the agents have done. They have actually got the Speaker's warrant to be served upon, as far as I can learn, 100 persons, without knowing anything as to the evidence any one of them would be able to give. The agents wanted to make up their case, and they went down under the colour of a Speaker's warrant to conduct an inquisition, and I will say that it was an abuse of the authority of the House. It was not merely an abuse of the Speaker's warrant, but it was an abuse of the power of Parliament, to obtain warrants for the purpose of assailing 100 persons who had never been examined; and when it was not known what they would say, to take them out into a private yard, and search out their consciences and see what evidence they would give. Remember, they were not examined as to what they could tell of their neighbours, but as to what they could tell about themselves—they were examined in order to make them criminate themselves, without any kind of assistance—they were called upon to give answers under the supposed authority of the Lords of the Admiralty, which might be used against them on other proceedings. The noble Lord the Secretary of the Admiralty has answered one question in the most solemn and emphatic manner. I take the liberty of asking him another. Does he suppose that if the gentleman had gone to the house of each of these workmen, after the hours of labour, and said, "I am agent for the petition founded upon certain charges against the sitting Members for the borough. Will you be kind enough to tell me did you get a bribe or anything of that kind for the vote you gave ?"—does he suppose that these men would have answered the questions in their own houses? I should like to ask the noble Lord whether he thinks the same sort of answer would be given by a man in his own house and by a man in a corner of the dockyard when summoned by the Admiralty?

Lord CLARENCE PAGET: The hon. and learned Gentleman asks for information as to a particular passage in the letter of Messrs. Travers, Smith, and De Gex, which I have already read to the House.

Sir HUGH CAIRNS: Would the noble Lord kindly read the whole letter?

Lord CLARENCE PAGET: The whole letter? ["No, no!" *and* "Yes, yes!"] Well, I have no objection to read as far as the hon. and learned Gentleman likes.

> "We have the honour to inform you that a petition has just been presented against the return of the sitting Members for the Borough of Devonport. A large number of the witnesses who will be required to attend on the Speaker's warrants are employed in the dockyard, and the hours of their attendance are very long. It would not be necessary that they should be disturbed at their work for more than a few minutes in the case of any witness, but it would be a matter of very considerable inconvenience and annoyance to the men, as well as of the utmost possible difficulty to ourselves as agents having the conduct of the petition, if it were necessary to find them at their own residences after the hours of work."

The SOLICITOR GENERAL: I wish to say merely a word or two upon this question. It may be difficult to determine—my learned Friend himself has not a decided opinion upon it—whether personal service of the Speaker's warrant is necessary or not, and I will for the present assume that such service is not absolutely required. We all, however, know that it is no easy matter to find the place of abode of those dockyard labourers. ["Oh, oh!"] Well, I have canvassed the borough of Plymouth myself, and, speaking from experience, I can safely assert that it is uncommonly difficult to catch dockyard men at home. Any prudent attorney would, of course, under those circumstances, be aware that it would not be sufficient for his purpose to leave a warrant at the place where one of those men was said to be lodging, and that it would be his duty to put it, if possible, into his own hands. That is the course which any attorney who knew his business would take; and if he were to act otherwise, and content himself with simply leaving the warrant where he was told a man lived—not knowing whether it would ever reach him or not—he would be guilty of gross neglect. It was, therefore, clearly the duty of the attorney in the present instance to serve the warrant on the men personally if he could, whether it was absolutely required by law or not, and all the Board of Admiralty did was to afford facilities for the discharge of this duty in a proper manner. That is the whole question. ["No, no!"] It is the whole question, at all events, so far as the Admiralty are concerned ["No, no!"], and my right hon. Friend the Member for Calne (Mr. Lowe) saw no ground for blaming their action in the matter. I do not know exactly what occurred in the dockyard. I have not heard the whole of the discussion, for I have only just come into the House. It may be that it would have been better not to cross-examine the witnesses, if, indeed, that was done. At the same time, we all know that it is not very easy to stop the mouths of attorneys if they are determined to ask a number of questions. All that we are concerned with, however, is the conduct of the Admiralty, and that has been, I contend, entirely free from blame in the transaction.

Mr. WALPOLE: My hon. and learned Friend the Solicitor General does not apprehend the nature of the case altogether, if he imagines that the main issue is involved in the service of the warrant. At the close of his speech he touched indirectly upon the graver part of the subject. I agree with my right hon. Friend the Member for Calne (Mr. Lowe) that no Minister of the Crown has ever conducted himself more ably, and, I believe, more honourably, than the noble Duke at the head of the Admiralty. But really that is not the question before us. The question is, not as to the conduct of the Admiralty, but whether, having regard to the perfect freedom of election and electors, any undue and improper influence has been exercised over the electors of the borough of Devonport under the guise of the Speaker's warrant, which need not have been taken into the dockyard, but might have been served on them in another place. In my opinion there was very great impropriety, in the first instance, in the solicitors making the application which they did. They knew they could serve the warrants without such application by going down to the dockyards, and the whole object in their minds in getting the authority of the Admiralty was to exercise an improper influence over the men. With regard to the other part of the question, which the Solicitor General did not advert to, I believe I am right in saying there is nothing which the courts of justice are more anxious to set their faces against than that those who are liable to be criminated in any way whatever should be bullied into statements by means of an inquisitorial examination which may afterwards in any way tend to their prejudice. These witnesses, or supposed witnesses, were first of all brought together, as I understand the statement of my right hon. Friend the Member for Droitwich, and one witness was examined and cross-examined in the most hostile manner as to his conduct at the late election. The witness gave a denial; but the gentleman who had cross-examined him did not hesitate to direct the other witnesses—all having been in the first instance brought together—to go out from that place. They were then brought in one by one, so that even they could not bear witness to their fellow-workmen as to whether improper treatment had been dealt out towards them. I say again, the question is not one affecting the Admiralty, but it is a question affecting the independence of elections and of electors; and I think that the explanation which the noble Lord was invited to give cannot and ought not to be considered satisfactory by this House, and I hope that such proceedings will not occur again.

MR. HORSMAN: There are two questions arising out of this discussion as to which I cannot, from the explanation which we have received, arrive at a distinct understanding, and with respect to which I hope to hear something further from my noble Friend the Secretary to the Admiralty. There is, in the first place, the question of the facilities given by the Admiralty for serving the Speaker's warrant, and then that of the facilities afforded for taking evidence in the dockyards. As far as I can gather from the speech of my right hon. Friend the Member for Droitwich (Sir John Pakington), he seemed to me to convey the idea that the Government had authorized the giving facilities in the former, and that they had also sanctioned or afterwards approved of their being given in the latter instance. Now, I want to know whether that is or is not the case. So far as we can gather from the Admiralty telegram, they directed the authorities at Devonport to give facilities for serving the Speaker's warrant. It appears that those authorities afterwards afforded facilities for taking evidence in the dockyards. I should like to be informed whether the Admiralty sanctioned that course, whether they were aware of its having been taken, and whether they approved or disapproved it?

COLONEL NORTH: I regret that the Government should appear to have sanctioned in any way interference with those voters. The real ground of complaint is not that they were collected together, but that they were subjected to cross-examination; and I should be glad, Mr. Speaker, if you would be good enough to inform me whether your warrant did justify anything beyond the mere service on the persons to whom it is addressed.

MR. SPEAKER: The Speaker's warrant is simply a warrant commanding attendance before an Election Committee; and the only reason for applying to the Speaker for his warrant is, that until the Committees are appointed there is no Chairman with authority to issue his warrant to summon witnesses before them. Application for the purpose is, therefore, made to the Speaker until the Committees are appointed, and he issues his warrant requiring the attendance before them of witnesses. If it be agreeable to the House, I will read the form of the warrant. It is as follows:—

"Whereas a petition of , complaining of an undue election and return for the of , has been presented to the House of Commons, the matter of which petition is to be tried by a Select Committee to be appointed under the 'Elections Petitions Act, 1848;' these are, therefore, to require you, , to be and appear before the said Select Committee at such time or times as shall be notified to you by the parties, or either of them, , the said petition, or their or either of their agents or agent; and to receive and obey such further order as the said Select Committee to be appointed to try the matter of the said petition shall make concerning the same. As you will answer the contrary at your peril.—Given under my hand, the day of , 186 ."

Lord CLARENCE PAGET: In reply to my right hon. Friend the Member for Stroud (Mr. Horsman), who asks whether the Admiralty gave any authority in the present instance beyond that which relates to the serving of the Speaker's warrant, I have to state that the only authority given by them had reference to the service of that warrant, and that they knew nothing whatsoever of any further transaction until my right hon. Friend opposite (Sir John Pakington) laid the circumstances of the case before them this evening.

Mr. HORSMAN: Then I understand the noble Lord to tell us that, until he heard the speech of my right hon. Friend opposite, he was not aware that evidence had been taken in the dockyards, and that the Admiralty, therefore, had no opportunity of expressing an opinion on the subject.

Lord CLARENCE PAGET: That is exactly what I wish to convey.

Lord HOTHAM: Although this question has in all probability been discussed sufficiently to enable every hon. Member to make up his mind upon it, yet I would ask permission of the House to say a few words before the discussion closes. Shortly after the meeting of Parliament, during the time when Lord Derby held the post of First Minister to the Crown, serious imputations were made by Sir Benjamin Hall (then Member for Marylebone) upon the conduct of the Board of Admiralty then presided over by the Duke of Northumberland—in reference to the elections which had just taken place, and pointing to the interference of Government officers in the dockyards, and also to improper appointments which had taken place in the dockyards, upon—as was stated at the time—political grounds. A Committee was appointed upon the subject, and it was my misfortune to be a Member of that Committee. I say it was my misfortune, because the inquiry was a long and intricate one, and because it became the duty of the Committee to report unfavourably on the proceedings of the then Board. Inasmuch as Lord Seymour, now Duke of Somerset, was the Chairman of that Committee, my attention has been especially awakened at hearing imputations cast upon the Board of which he is now the head. With reference to the important part of this discussion—which, no doubt, is that relating to the examination of witnesses in the dockyard, and with reference to the permission asked of the Duke of Somerset to afford facilities for the serving of the warrants in the dockyard—recollecting, as I so well do, the feeling displayed by the Duke of Somerset throughout the inquiry to which I have just alluded, and recollecting the straightforward course he pursued during the continuance of that inquiry, I cannot bring myself to believe that if he had known that permission was unnecessary for the serving of the Speaker's warrants in the dockyard, and if he could have foreseen the possible use that might have been made of that permission, he would have listened to the application for one single moment. The noble Lord (Lord Clarence Paget), at the end of his speech, asked whether this discussion did not prove the necessity of providing that the men in the dockyards should not have votes. It did not need this discussion to prove that; for one of the recommendations of Lord Seymour's Committee was the disfranchisement of the Government men in the dockyards, and, therefore, during the time that the Duke of Somerset has been in office he has had the opportunity, if so disposed, at any rate to propose to his Colleagues in the Cabinet to carry into effect the measure which that Committee recommended. With reference to the examination of men in the dockyard, no justification, I think, can possibly be put forward for that. I know very well, and so does every one else, even if he be a Member of this House for the first time, what is the construction put upon such interference, and especially in the dockyards. Believing as I do that the Duke of Somerset has not changed his opinion upon the subject of interference in the Government dockyards, I can only say I shall be greatly surprised if, after what has taken place in respect to the examination of these men in the dockyard, if the noble Lord is not instructed on a future day to come down and declare on the part of the First Lord of the Admiralty not only that this has been done without his knowledge, but that it meets with his most serious and entire disapproval.

Lord ROBERT MONTAGU: There are one or two points to which I desire to call the attention of the House arising out of the speech of the noble Lord opposite (Lord Clarence Paget). The agents have the opportunity of gathering all the evidence in the first instance, before they apply for the Speaker's warrants; because I suppose each warrant is addressed to a particular person by name. They must therefore know the quality of the evidence and what direction it will take beforehand; and if it be adverse to their case, they do not apply for a warrant. The Solicitor General has said it would be difficult to serve men at home when they live in lodgings; but I must remind the hon. and learned Gentleman that if they lived in lodgings they would have no votes, and therefore there would be no warrants to serve. It is as easy to serve the warrants at the men's houses as at the dockyard—what object then could there be in assembling a number of men together, to the number of fifty at once, unless it was for the purpose of "coaching" them up in their evidence? In the letter from Admiral Symonds, which the noble Lord has read, an observation is made in favour of disfranchising the dockyard men. May I ask the noble Lord why the Admiral chooses this occasion to advocate that they should be disfranchised if there has been no illicit influence exercised over them, and they have given their votes fairly and honestly. Did not the Admiral make that suggestion because he knew that the men were especially open to illicit influence, that it had been exercised, and that it might be exercised again? Let me remind the noble Lord that this has not occurred at a time when a strong Government appears before the House; but it is when a Government is tottering to its fall that it endeavours to snatch from every one else that power which itself has abused.

CAPTAIN VIVIAN: The charge against the Admiralty is, that permission was given to serve the Speaker's warrant in the dockyard, and that the opportunity was taken to examine the witnesses. I cannot conceive that any reproach can be directed against the Admiralty in this matter, although there may be some blame attaching to the agent for having exceeded the powers given him. That blame, however, rests with him, and does not extend to any Members of the Government. With regard to the serving of the warrants in the dockyard, I presume that hon. Gentlemen whose seats in the House are menaced do not sit idly by and allow them to be lost without taking the opportunity of defending them, but I suppose they have the same privileges afforded to them as are afforded on the other side. I should like to know what would be the opinion of hon. Gentlemen opposite if they, having asked for permission to serve the Speaker's warrant on men employed in the dockyards, had been refused by the Admiralty. I apprehend that in that case there would have been a still more grave charge brought against the Government. And I think such a charge would have been much more just than that which has been brought this evening.

THE CHANCELLOR OF THE EXCHEQUER: In common with the greater portion of the House, I have felt considerable difficulty in ascertaining the real nature of the facts in this matter. The Government have heard now for the first time the statement of the right hon. Baronet (Sir John Pakington), and I have no doubt that the right hon. Gentleman made it most conscientiously; but it would have been a great advantage to us, and would have saved the time of the House, if we had been in a position to admit or deny with precision, or to qualify in any way, that which has fallen from the right hon. Baronet. [Sir JOHN PAKINGTON: The noble Lord has admitted it.] I assure him that my noble Friend, not being in a position to deny the statement he has made, has cautiously and properly abstained from denying it; but my noble Friend by no means affirms or admits it, otherwise than by not being in a condition to question it, without having other information to give the House. I have no option but to follow the same course, and to assume the right hon. Gentleman to have been accurately informed—which may or may not be the case, but if not, it is not his fault. There is, then, but little room for difference of opinion. If we take the sole and single act which the Admiralty has done in this case, I think the severest judge would admit that no considerable blame could be ascribed to that Board for desiring that every facility should be afforded for serving the Speaker's warrant. That is a document of authority, and it is directed to a large number of persons in a public establishment. The parties armed with the warrant appeal to the Admiralty for facilities to serve it; and I think it was the duty of a public department, *primâ facie,* to give those facilities. But it is plain that if there were any covert intention on the part of the Admiralty, and if the intention was to give facilities for more than serving the warrant, such an intention would have been exceptionable, but there is no proof of its having been entertained. I do not think the right hon. Gentleman intended to make that imputation; but I will take his statement as implying that the facilities given were not confined to facilities for serving the warrant. I conceive that personal service was probably necessary, and I believe that the service might obviously be accomplished without interruption to the work in the dockyard; and that the whole of the officers of the establishment studiously kept themselves away, so that there might be no appearance of intervention whatever; yet the fact of the gathering together of these men within the walls of a public establishment, and ostensibly under the authority of the directions there given, was a proceeding which savoured somewhat of influence, and consequently it is one with regard to which we, always assuming the precise accuracy of the statement, do not hesitate to say that we regret and censure. This is all we are able to say on the subject, except this—that my noble Friend near me will make careful inquiry into the circumstances. If he finds he is not able materially to alter the statements made by the right hon. Baronet the Member for Droitwich, the strictest directions will be given to prevent the recurrence of any such proceedings; and if, on the other hand, he finds that the right hon. Gentleman has been misled, it probably will be only justice to the parties that he should make it known on the first convenient opportunity.

MR. DISRAELI: I do not think that the right hon. Gentleman has any just cause of complaint against my right hon. Friend (Sir John Pakington) for the manner in which he has brought this question before the House. Certainly not on the ground of want of sufficient opportunity on the part of the Admiralty for obtaining the information which was required. What is the case? My right hon. Friend, four days ago, gave private notice to the noble Lord the Secretary to the Admiralty of his intention to make the statement he has brought before us. Surely that was sufficient notice in these days of railroads and electric telegraphy—and we have seen that the Admiralty know how to work a telegraph. And then there was also the public Notice given in the usual form in the printed paper. I, therefore, do not clearly understand what is the purport of the observations of the Chancellor of the Exchequer. For I put this question —if transactions of the character now before us occur, how are they ever to be made known to the House or the country unless the course pursued by my right hon. Friend is followed? A complaint of a grievance is placed before a Member of this House; what is his duty under the circumstances? He makes those inquiries which guard him against making any misrepresentation to the House; he looks into the matter; he convinces himself that the complaint is just; he makes himself master of the facts that he may place them before the House; he gives ample notice to the Minister whose conduct is impugned, or whose Department is brought into question, in order that, with a general knowledge of the matters to be brought forward, he may have the opportunity of obtaining the information required; and after due notice the matter is brought before the House of Commons. I want to know in what other manner than that which has been pursued by my right hon. Friend the present case could have been brought before the consideration of Parliament. Then what is the use of the osbervations—the somewhat querulous observations—of the Chancellor of the Exchequer? Does the House approve the conduct pursued in the Dockyard of Devonport with regard to these men who are voters? Do they approve the dockyard men who are voters being assembled in the manner which has been described? I do not agree that the Speaker's warrant should have been served upon these men as it has been served. I think the proper answer of the Admiralty to these election petition-mongers should have been, "If you want to serve the Speaker's warrant we leave you to take that course which the law of the country prescribes, and which your own discretion must guide you in pursuing." That should have been the answer of the Admiralty. But I ask the House this question—Do they approve the conduct pursued in the Dockyard of Devonport with respect to the workmen who were voters? I take it for granted they do not. What was that conduct? It is not the act of insulated indiscretion described by the Solicitor General, who informed us that he was not present early in the debate—a piece of information that was quite superfluous—it was not an act of insulated indiscretion on the part of an attorney's clerk in a moment of excitement asking a question which he was not justified in doing of any single voter. Why, this examination was a prolonged examination! The average time occupied in the examination of each voter was from one hour and a half to two hours. ["No!"] There was at least such a waste of time that the Secretary to the Admiralty felt it his duty to write to inquire what loss would be occasioned to the public service by this proceeding. But, says the Solicitor General, there may have been a question asked which I do not mean to say was at all justifiable. Why, the examinations were going on for three days. These examinations did not consist of merely a single inquiry. This prolonged inquiry was going on for three days in the dockyard, with the cognizance, with the sanction, and by the authority of the Admiral Sperintendent. The Admiral Superintendent by his letter tells us candidly that in all he was doing, in securing to those agents of the petitionmongers this opportunity of fishing for evidence, he was obeying the orders and acting according to the instructions he received from the Admiralty. Well, but, says the innocent Admiralty, we never heard of this matter till it was brought before the House of Commons by the right hon. Member for Droitwich. But they have heard of it now for some time, and have they disapproved the conduct of the Admiral Superintendent? The conduct of the Admiral Superintendent, according to their own views, was extremely blamable; have they censured the conduct of the Admiral Superintendent? It is impossible not to feel that no answer whatever has been given to the matters brought under the consideration of the House. No man of the world after the discussion which has taken place can for a moment be mistaken as to the real character of this transaction. No one can doubt that your warrant, Sir, was used to fish up evidence for an election petition. I see by the arrangements made to hear the election petitions that the petition against the return for the borough of Devonport could not, by any possibility, be brought on till after Easter. There was no hurry, therefore, to serve the Speaker's warrant in order to obtain the presence of witnesses. And who is the petitioner in this case? It is impossible to shut our eyes to the character and status of the petitioner. I remember the gentleman who is the petitioner—a very respectable gentleman. He was a Member for some time of this House. He was made counsel for the Admiralty. He retired from that honourable post to become permanent Secretary to the Admiralty. He is the petitioner for the borough of Devonport. Certainly, therefore, it cannot be said that he lacks experience or opportunity to avail himself in the most efficacious way of the mode in which the object of his honourable ambition may be attained. Well, I say, these are circumstances of very grave suspicion. I think no man can deny that the Speaker's warrant has been used in a colourable manner, and for a purpose that has not been avowed; and when these matters are brought before us, which no one defends, which even the Chancellor of the Exchequer apologizes for—when these irregularities, and more than irregularities, occur, what is the natural question? The natural question that arises is—Who is responsible? Is it to be tolerated that the head of a Department should get up and say, "All that occurred we highly disapprove, but we are perfectly innocent?" What, then, is to become of the responsibility of those who administer the affairs of the country? When a transaction of this kind has been, I will not say proved, but acknowledged, confessed, not even defended or denied by the Government, the next question is to ask who is responsible? No one will deny that the person responsible is the chief of the Department. This matter requires more inquiry than it has yet received. I am very glad to hear from the Chancellor of the Exchequer that we are to have some further inquiry; but I do not think the matter ought to end by the Government merely saying they are not prepared to defend their conduct, which they confess is liable to blame. ["No, no!"] Not liable to blame! Then, you vindicate the conduct of the Admiral Superintendent? Not liable to bame! Then you vindicate—you are proud of your singular indiscretion? You go into partnership with the agents for the petitioner, and give them every facility. I say that wants further inquiry. I am glad the Chancellor of the Exchequer has promised further inquiry. But that further inquiry should not terminate, I think, in merely furthering fresh instructions to the authorities at Devonport, saying that the Government regret they have been placed in an indefensible position, and they beg for the future that affairs may be managed with more discretion.

THE ATTORNEY GENERAL: I should not desire to prolong this discussion at all were it not for the manner in which the right hon. Gentleman who has just addressed the House referred to the notice which he supposes the Government to have had of the particular statements, or their effect, made this evening by the right hon. Baronet the Member for Droitwich (Sir John Pakington). Now, I cannot but think that this mode of bringing forward a subject of this kind is, to say the least, not that which is most advisable to adopt, if it is intended to give the Government full opportunity of ascertaining the actual facts of the case and dealing with them as they may require. The House would suppose, from what has fallen from the right hon. Baronet, that the right hon. Gentleman had communicated to my noble Friend the Secretary of the Admiralty the substance of the statements he intended to make. Such is not the fact. What took place was this. The right hon. Gentleman on Monday put into the hands of my noble Friend a mere copy of the Notice which is upon the Order of the House to-night—"to call the attention of the Government to certain statements"—What statements? Until we knew the substance of the statements to be made ["Oh, oh!"] how could we know what the statements were? Hon. Gentlemen on the other side seem to be able to understand what statements would be made before they hear them. ["Oh, oh!"] At all events, on the part of the Government I disclaim any such knowledge. The language of the Notice is—

> "Certain statements as to the manner in which dockyard workmen who are voters for the borough of Devonport have been examined in the dockyard with reference to their intended evidence before the Election Committee for that borough, and to ask for explanation."

That is good notice of the subject of the statements, but not of their particular nature. That was all the notice given to my noble Friend. The noble Lord did all he could under the circumstances. I take upon myself to say that the Admiralty were perfectly justified in pursuing the course they adopted in giving facilities for the service of the Speaker's warrant. It was necessary that the warrant should be personally served if it were intended to be of use; and, under the circumstances, I do not hesitate to say that the course adopted by the Admiralty was a proper one. The application was one which it was right for the Admiralty to grant without reference to the side by which it was made. The thing to be done was merely to serve a legal document upon persons who were bound to obey it, in the most convenient manner, and in the place where they were most likely to be found; and to that the Admiralty had properly offered no objection. Then, when you come to look at the Notice given to the Government by the right hon. Baronet, you will find that it does not state the particular matters which he intended going into—it did not explain in what manner the men were said to have been examined. Upon the receipt of the notice the noble Lord without loss of time at once wrote for information, and he received, as quickly as possible, by post, an answer, in which the Admiral stated—and we may therefore assume that this was all that he was able to state —that he had caused the people to be assembled at the hour mentioned in order that they might be served with the warrant issued by the Speaker. In that letter the gallant Admiral said—

> "I send you copies of the orders under which I have acted, also of the applications made to and approved by me in obedience to the orders which contained the same words, 'On workmen in the yard.' I therefore ordered that the people sought and applied for should assemble at the hour requested, in a quiet part of the yard, instead of their being sought separately at their work, when they saw the parties applying by Speaker's warrant; thus giving them 'every facility,' and were perfectly uninterfered with by their own officers. You have everything I can think of."

Now, I entirely agree that in the exercise of what I have no doubt was an honest discretion the Admiral Superintendent erred. I think it would have been better had the men been seen separately. Assuming that the information received by the right hon. Baronet is correct, no doubt a serious error was committed in so assembling the men, as an opportunity was given which was grossly abused, and which enabled that to be done which beyond all question should not have been done. But the House will see that this letter gives no information as the examination of the men; and the only conclusion I can come to is that the gallant Admiral was himself ignorant of the advantage that had been taken of the facilities which he, acting upon the instruction he had received, had given to the agent of the petitioner. Of course, I say this on the assumption that the statement of the right hon. Gentleman is correct. I must, however, say that there is some inconvenience in a statement of this character—which may be perfectly justifiable of itself—being made without its being reduced to the form of a petition to the House, or, at all events, to such a shape as would enable those who were affected by it to have notice of all its details. I believe I have shown that the Government is not responsible for anything—I mean that I know of nothing in the mere granting of facilities for the service of this warrant which should render the Admiralty liable to censure; while I admit that an improper advantage may have been taken of the facilities given, which (if the statement made is correct) were grossly abused by the agent of the petitioner.

LORD JOHN MANNERS: I think the hon. and learned Gentleman who last addressed us would have done better had he left the case of the Government in the hands of the Chancellor of the Exchequer, for certainly his arguments have done nothing to mitigate the opinion the House must have formed of this transaction. The hon. and learned Member said that the right hon. Baronet (Sir John Pakington) did not give the Government a sufficiently detailed notice as to the subjects on which he required explanation. But every Gentleman who reads the Notice which was put into the hands of the noble Lord will see that it contains every information it is possible to give. The hon. and learned Gentleman further says neither did the letter from the Admiral convey any information to the noble Lord that any man had been examined in the dockyard, and that therefore the Government could not be aware that any such examination had taken place. But I say that it is stated in the Notice of Motion given by the right hon. Baronet that such an examination did take place, and that, therefore, it was the bounden duty of Government to have again communicated with the Admiral Superintendent, and to have asked him for an explanation of this grave charge. But what did the Government do when they became aware of the nature of the right hon. Baronet's Question? Being in possession on Monday night of the Notice of the Question to be put by the right hon. Baronet this evening, the Government do not appear, up to the present moment, to have communicated with any of the authorities of the dockyard upon the subject of this most serious charge; and now, when the debate is about to close, the Attorney General gets up and says it was impossible for Government to have been aware of the Question to be put to them from the Notice given them in private by the right hon. Baronet. I believe this to be mere special pleading, and I believe the House and the country will form a similar opinion on the subject. We are now told that the matter will be inquired into further. I hope that the further inquiry will be prosecuted in an impartial and free manner, and that, at any rate, in the long run we shall derive this benefit from it—that gentlemen who may be connected in one way or another with the Admiralty, will no longer be able to turn the Government Dockyards into a kind of political Star Chamber.

THE ATTORNEY GENERAL wished to explain that if he had led the House to suppose that Lord Clarence Paget knew of the telegram before it was sent he was in error. Of course, he now knew that it had been sent.

MR. SELWYN: I can scarcely think that the Attorney General any more than his Colleague the Solicitor General can have been present throughout this debate, or else he would scarcely have complained of the terms of the Notice given by the right hon. Baronet. The hon. and learned Gentleman says that the noble Duke at the head of the Admiralty had no means of knowing what had taken place. Had the hon. and learned Gentleman been in the House he must have heard the noble Lord the Secretary to the Admiralty state that he had caused inquiries to be made into the subject of the examination of the men, and that he was informed that each examination had lasted more than an hour. The fact is, that the simple service of the warrant signed by the Speaker would not have occupied more than half a minute; and, therefore, when the petitioner's agent wrote to the Admiralty for facilities in serving the warrant, stating that only a very few minutes would be required in the case of each witness, the Admiralty should have foreseen that something else was intended besides the mere service of the warrant. But, notwithstanding the suspicious circumstances under which the application was made, they sent a telegram and a letter to the Admiral Superintendent, directing him to give the facilities asked for. They learn afterwards that the men were each occupied for an hour—and that in the case of fifty workmen—and I want to know how they supposed that hour was occupied. I say the conclusion the Admiralty should have come to upon the receipt of the letter from the petitioner's agent was that something more was intended than appeared upon the face of it. And I go further and ask why, when they heard that something else had been done, they did not institute inquiries in order to find out the real truth of the matter?

COLONEL PERCY HERBERT: I do not wish to make any attack upon the character of the Duke of Somerset, because I believe that his impartiality is notorious to every Member of the House; but, although we may fully acquit the noble Duke of having done anything further than to give directions for facilitating the service of the warrant, yet I think that he was guilty of a certain amount of indiscretion in not confining his instructions to a direction to the Admiral Superintendent to give a simple opportunity to the petitioner's agent to serve the warrant. It is not to be forgotten that the First Lord of the Admiralty, holding as he does the whole patronage of the navy in his hands, is a very powerful person, and a gallant sailor like Admiral Symonds, accustomed to obey orders, might doubtless, in his zeal, have a little exceeded his orders. I approve the apologetical tone taken by the Chancellor of the Exchequer, and I trust that the discussion will turn out hereafter to have been of benefit to the Admiralty.

Colonel KNOX: The hon. and learned Member for Belfast (Sir Hugh Cairns) asked the noble Lord to read one letter only; but had he asked for the other letter, it would have been found that facilities were to be given to the agent for the petitioner alone. If this had been done when the Gentlemen on this side of the House were in power, a Committee of the House would have been appointed for the purpose of inquiring into the matter; and I think that that course ought to have been pursued on the present occasion, because I do not believe that the public generally will be satisfied with a private inquiry instituted by the Admiral, who is himself implicated in these transactions.

CATTLE PLAGUE EXPERIMENTS.

QUESTION.

Mr. SANDFORD said, he rose to ask the Secretary of State for the Home Department, Why the experiments made as to the cure of the Cattle Plague have not been laid upon the table of the House? The country had been told that the "stamping out" process was the only mode of eradicating the cattle disease. This, he thought, showed a very retrogressive tendency on the part of medical science, and especially in its veterinary branch. For the sake of the agricultural interest generally he sincerely hoped that the disease was not so incurable as it was represented to be, because, as they could not prevent importation of foreign cattle, they would always be liable to the recurrence of the disease. For himself, he was one of those who held the opinion that all the pestilences which visited us were more or less amenable to medical treatment, and it was stated in the newspapers that the remedies employed by Mr. Worms had in many instances proved successful. He should very much like to learn the particulars of the experiments made by that gentleman, and it was, he believed, the duty of the Government to lay any information they may obtain on the subject upon the table of the House at the earliest possible moment.

Mr. BARING said, he could assure his hon. Friend that the Government were fully sensible of the importance and interest attaching to the experimental treatment of animals affected with the cattle disease, and their attention was drawn to the subject at the very commencement of the outbreak in this country. As the House was aware, a Royal Commission was appointed for the express purpose, among others, of inquiring into the mode of treatment likely to prove successful in the case of animals affected with the plague, and the Government thought it would be far better to intrust such an inquiry to one authority, instead of committing it to the care of two separate bodies. That Commission had not neglected their duty. On the contrary, they had prepared a scheme of the most exhaustive character, for the purpose of giving to the world the most complete and accurate information with regard to the nature of the disease, the different modes of treatment, contagion, and other matters most interesting to the public and most likely to be attended with advantage on future occasions. The nature of the scheme was most fully described in the second Report of the Royal Commission, which his hon. Friend had probably not yet seen. He would find that not only many eminent veterinary surgeons, but also men of distinction in the medical profession had been engaged in conducting the inquiries, and he would find certain general statements made regarding the result of their labours. The Commissioners stated that no remedy which had hitherto been discovered could be relied upon, that vaccination had not proved a safeguard, and that they purposed giving the public more details with reference to inoculation. The Commissioners, in their third and final Report, promise to give full and complete accounts of the experiments which had been made, and the results of investigations which had been instituted by the medical gentlemen to whom they had been intrusted. Under those circumstances, it would have been impossible for the Government up to the present time to furnish the House with complete information upon the subject. [An hon. MEMBER: When will it be presented to the House?] Of course, the third Report of the Commissioners would be presented as soon as it was made.

MASTERS IN THE ROYAL NAVY.

OBSERVATIONS.

SIR **LAWRENCE PALK**, in bringing under the notice of the House the grievances of which the Masters in the Royal Navy complained, said, that the Masters in the Royal Navy were astonished at the way in which their case was stated to the House on a previous occasion by the noble Lord the Secretary to the Admiralty, and at the earliest opportunity they had drawn up a statement, in which they alleged that the valuable services of the Masters in the navy during late years could not be disputed. They then particularized the grievances under which they laboured, and embodied them in a pamphlet. In that pamphlet they alleged that the Masters did not gain the advantages to which they were entitled, that they were placed in an unfavourable position, and that the recommendations of the Committee of 1862 had never been carried out; and they alleged further, that when the noble Lord the Secretary of the Admiralty stated, as he had upon one occasion, that no memorials had been received from the Masters in the service with regard to their pay, it must be well known that the framing and signing such memorials were contrary to the Queen's Regulations. By the Naval Discipline Act of 1863 any officer was fully authorized to make known to his superior officer any just cause of complaint; but he was not permitted to combine with others for the purpose of obtaining redress. Finding individual remonstrance of no avail the Masters presented a memorial, which would be a sufficient answer to the assertion of the Secretary to the Admiralty, that they had asked for no increase of pay. It prayed that, with regard to relative rank, pay, pensions, and social position, they might be placed on the same footing as medical officers, of whom they had always had precedence since the Order of March, 1808. The noble Lord had also stated that the recommendations of the Committee which inquired into the grievances of Masters in 1862 had been carried into effect; but no assertion could be more incorrect. The title of "Staff Commander" was, as he had said, simply a delusion, conferring no rank, pay, or privileges. When it was granted, Masters expected some privilege, such as an allowance for travelling expenses incurred in surveying, for which £1 a day was allowed to Commanders; but the position of Masters in this respect remained unchanged, so that a Commander when travelling received 10*s*. a day more than a "Staff Commander," although the latter often discharged lieutenant's and other duties. He could not sit on a court martial; in action his place was by the side of the captain; on an enemy's coast his duties were most hazardous. At the time of the Crimean War, when the crew of a line-of-battle ship were paid off, the captain received the decoration of a Commander of the Bath; the first-lieutenant, the commander, the surgeon, and the captain of marines were all provided for; and the only officer who was neglected was the Master, who retired on 5*s*. a day. Under all these circumstances, it was not to be wondered at that the number of Masters had been for some years past steadily on the decline. In 1840 there were 140; in 1850, 90; in 1859, 85; in 1860, 74; and in 1861, 76. He did not pretend to say that there was any advantage to the navy in having this class of officers. It was considered a great boon by old officers to have their sons educated at a comparatively small cost and brought up as second-class cadets, to be eventually Masters in the navy. As such they ought, at least, to be dealt with fairly and honourably, and if injustice were committed Parliament was made *particeps criminis*. He was glad to see the Secretary to the Admiralty in his place; and he would therefore say that, although on several occasions the noble Lord had led the House to believe that it was the earnest wish of the Admiralty to deal fairly, liberally, and generously with the Masters in the navy, they had received the reverse of such treatment. When complaint was made, the noble Lord promised that, if patience were shown, a boon should be conferred; but would the House believe that the Admiralty had withdrawn from the Masters the privilege of being able to enter their sons as second-class cadets? As an instance of the treatment received by Masters in the navy, he would cite the case of a man who became a volunteer of the second-class in 1825, and who, after serving in every clime, and being twice shipwrecked and twice invalided, was assigned Coastguard duties, which required the strength of a man in the prime of life, at the most exposed station on the coast of Cornwall, where he was obliged to walk many miles over slimy rocks, night and day, in all weathers. Having fulfilled these duties six or seven years, he received a letter informing him that he had been placed on the reserve list of Masters, that he would lose no advantages that he then enjoyed, and that he would be retained on Coastguard service; and he thereupon wrote to the Lords of the Admiralty. The Lords of the Admiralty in their reply expressed their regret that his services did not, under their regulations, entitle him to Greenwich out-pay; but, as a favour, he was placed on the 6*s.* list, and about a month afterwards he was promoted to the rank of Staff Commander, without increase of pay. The memorialist concluded by stating that, at fifty-seven years of age, he found all his prospects destroyed by ill-health, contracted in a service which had brought him no rewards, save a number of highly-commendatory certificates, a rank equal to that of lieutenant-colonel, and a pension of 6*s.* a day, on which sum he had to endeavour to support himself and his family in the position of a gentleman and an officer in Her Majesty's service. Such was the position in which an officer in that navy of which Englishmen were so justly proud found himself placed. Masters in the navy had rendered to their country many most important services by surveying dangerous coasts, not only for the purposes of war, but, what was still better, for the sake of the safety of the mercantile marine. These officers, who had deserved so well of their country, and who had been treated so badly by that country, worn out, and with starvation staring them in the face, had the consolation of reading every day in the paper accounts of the honours, promotions, and increases of pay which were received by officers who had entered the navy at the same time that they had; reading, perhaps, at the same time the fallacious promises of the Secretary of the Navy, and the unfounded accounts of the great things which had been done for them. He had often heard it stated that the present expenditure of England was excessive; and they knew what enormous sums were spent in building ships which would never be used; and it was a source of great mortification to find that the country was so poor, so mean, or so parsimonious as to neglect in their old age officers who had faithfully served her. He would by one illustration show how unfairly, as compared with other officers, Masters were treated. Under the present regulations the pay of a Staff Commander or Master was £182 10*s.* per annum, that of a surgeon was £273 15*s.*, and that of a paymaster £249. After ten years' service, the pay of a Staff Commander or Master was £237 5*s.*, that of a surgeon was £328 10*s.*, and that of a paymaster £349 15*s.*; after twenty years' service the Master or Staff Commander received a salary of £328 a year, the surgeon £401 10*s.*, and the paymaster £600 14*s.* But the Master was not only paid badly, but he was also debarred from receiving the same honours and rewards as the other officers. When a great service was performed by any of Her Majesty's vessels, every officer on board that vessel could receive a reward except the Master, to whose skill the successful performance of the service may have been in a great measure due. What the Masters asked was really not much, considering the onerous nature of their duties. The Masters said, "If you think the service would be better without us abolish the class; but if, on the contrary, you think we have done our duty, treat us fairly. Do not give us a name which in reality you withhold. If you give us the rank of Staff Commander put us on an equality with the commanders in the navy. If you think our services worth recompensing, give us justice, and let us have a chance of rising in our profession." Taxed as the country might be, it was rich enough to award justice to its public servants, and he trusted, therefore, that the appeal which he now made to the noble Lord the Secretary to the Admiralty would not be made in vain. If, however, the Admiralty continued to deny this class of officers justice, they might fairly appeal to the country and to Parliament to see them righted.

COLONEL SYKES said, he rose to ask Mr. Speaker whether on going into Committee on the first naval Vote Members would be allowed to discuss the Estimates at large?

MR. SPEAKER said, that the question should be addressed to the Chairman of Committee.

LORD CLARENCE PAGET said, that the Chairman of Committee had for many years permitted Members to make a general statement on the Estimates when the first Vote came on for discussion.

ADMIRAL ERSKINE said, he could fully bear out the observations of the hon, Member for Devon (Sir Lawrence Palk) with respect to the value of the services of the Masters in the navy. He had with him a list of nineteen whom he had known, of whom only one ever failed in his duty in any instance, and even he afterwards recovered his character. But it was far from being the case that their services were left unrewarded; the rewards given them were often very ample in degree. Taking the cases of fifteen with whom he was acquainted he found that five had been appointed Masters Attendant of dockyards, receiving pay to the amount of £500 or £600 a year; two were in command of ships, with the pay of commanders; one held a high situation in the compass department at the Admiralty; and one was at the head of a branch establishment in Portsmouth Dockyard; leaving only six with no pay beyond that of their naval rank. It was impossible in the nature of things to give men employed for special duties and general service the same rate of pay. The most difficult duty of Masters was that of pilotage which was not to be learnt in a day, and, in fact, required almost a lifetime. The old Admiralty regulations ordered that, with the view of encouraging Masters to attain excellence as pilots, they should be paid for every port into which they took a ship half the amount that would be paid to a regular pilot. He believed that the hydrographers of the navy, many of whom were among the foremost in setting forth the hardships and advocating the claims of the Masters, were the very persons who virtually deprived them of that advantage; because, at the end of the ship's term of service, when the certificates of pilotage were sent in by the captains, they were thrown together, and very often only a small sum was awarded to the Master instead of the full pilotage to which he was justly entitled. If that question of half pilotage were only looked into by the Secretary to the Admiralty, he would probably find that it would form a considerable addition to the income of the Masters. With respect to the improvement in the pay of the Staff Commanders, to use the rather fantastic denomination given them in the *Navy List*, he might mention that the Staff Commanders had not been neglected, for he found that before 1855 the highest amount of pay was 11*s*. 8*d*. a day, and Masters of the Fleet 16*s*. 6*d*. In 1860, the highest rate was £1 a day, and Masters of the Fleet £1 6*s*. He did not mean to say that that was a very high rate of pay for men who had served half their lives in the navy, but still there was no class of naval officers, as far as he was aware, whose pay had been so much increased. In conclusion, he ventured to express a hope that his noble Friend would take the question of pilotage into consideration; and he trusted, also, that the entry of young men for the rank of Master might be again resumed, and that a system of education which would give those young men a knowledge of pilotage might again be established in the navy.

MR. SCOURFIELD said, he had served on the Admiralty Committee, and had put many questions to the different witnesses in reference to the position of the Masters. On no question, however, did he receive such a diversity of answers. As to the question of pay, he did not wish to offer any opinion, because, from the evidence which was given, he was totally unable to come to any conclusion on the subject.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to*:—

SUPPLY—NAVY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) 68,400 Men and Boys (Sea and Coast Guard Services), including 16,400 Royal Marines.

SIR MORTON PETO said, that the present Estimates exhibited great similarity to those of last year. As the noble Lord the Secretary to the Admiralty had said, the alteration which had been made in the Navy Estimates was simply a reduction of the *personnel* to a certain extent, and the substitution of new works recommended by the Committee last year. The right hon. Gentleman the Chancellor of the Exchequer said on Tuesday evening, when the Estimates were introduced, that the Government were not responsible for these additions, but the Committee which had made the recommendations. He did not suppose, however, that the right hon. Gentleman intended to say that the Government disapproved those recommendations, but that the Committee from which they originated were to a certain degree responsible for their adoption. Having served upon the Committee, he could bear testimony to the fact that there was absolute unanimity as to the necessity of this increased expenditure. One of the most important subjects with regard to our dockyards was the basin capacity, the capacity for docking ships, and the ability to repair vessels with expedition. He need hardly call the attention of the Committee to the fact that if at any time our fleet were damaged in the Channel it would be of the utmost consequence that it should be speedily restored to its original condition; and Admiral Robinson truly remarked that the naval power of the country would be practically increased in proportion to the expedition with which the necessary repairs could be effected. But the Committee had also to take into consideration the position of the Government in regard to the facilities possessed by the Government for the repair of vessels on foreign stations. At the present time we were to a great extent dependent upon foreign Governments. If a vessel in the Mediterranean, for example, stood in need of repairs, we should be indebted to the courtesy of the French Government for enabling us to do so at Toulon or Algiers; and there were many instances of vessels coming all the way from the West Indies to Portsmouth or Devonport to have their bottoms cleaned. There were numberless other points affecting in no small degree the well-being of the navy in regard to the basin and dock accommodation at our arsenals. In many cases the greatest inconvenience had been experienced by the Government in consequence of the want of such accommodation. He wished, however, more particularly to call the attention of the Committee to the future policy of the navy with respect to construction. Now, he took it for granted that all were agreed that two things were absolutely necessary with respect to the administration of naval affairs—first, that the Government should have at their command the greatest talent which the country could afford in regard to design; and secondly, that the Government should also have the greatest facilities for economical construction and repairs in their dockyards, and the best class of control in regard to them. Now, what was the position of the Admiralty at the present time, so far as design was concerned? He would say nothing about Mr. Reed himself, but he must remark that practically the Admiralty were confined to the efforts of a single mind. That was a position most undesirable and most injurious to the country, and one which operated in many ways to its great disadvantage. In the first place, if the Admiralty only had recourse to the efforts of a single mind, it was not likely that they would have so much talent as might possibly be brought to bear upon the design of our vessels, because there would be a jealousy when a single individual was employed which would not exist if others had an opportunity of showing what they could do for the Government. He was not about to enter at the present moment upon the question at issue between Captain Coles and the Government. He might, however, be allowed to remark that on many occasions during the last few years the question of turret-ships had engaged the attention of successive Committees, and the noble Lord the Secretary to the Admiralty had frequently promised that the system should have a fair trial. It was, however, the general opinion that up to the present time it had practically had no trial at all. It was true, indeed, that Captain Cowper Coles was permitted to cut down the *Royal Sovereign* and convert her into a turret-ship. Under no circumstances, however, was that vessel qualified for anything beyond harbour service, but in all that she was intended and designed to do she had given unqualified satisfaction. But from that time to this Captain Coles had never been placed in a position to construct a sea-going turret-ship, and bring to bear on her the full force of his invention. He (Sir Morton Peto) was not going to justify the letter which Captain Coles wrote the other day, and which caused his removal from the position he held; but he would say that, considering the irritation to which a man of such talent had been exposed, he was not surprised at his writing the letter. Any man of his talent might have committed the momentary error, and he (Sir Morton Peto) must say that the Government had not shown towards Captain Coles that feeling which the kind heart of the Secretary to the Admiralty might have led them to anticipate. But although Her Majesty's Government had not constructed turret-ships Foreign Powers had done so, and, indeed, it was this class of vessel which our shipyards were supplying to Foreign Governments, to the almost total exclusion of other descriptions of ships of war. He regretted the absence of the hon.

Member for Birkenhead (Mr. Laird), because if he had been present he might have laid before the Committee some particulars respecting the turret-ship which his firm had lately constructed for the Peruvian Government. What had been the result of experience in regard to this description of vessel? He had had an opportunity of inquiring as to what had been the experience of the Danish Government in the late war. The reply to his inquiry was, "Nothing could be better, and if we wanted more vessels we would order them to be constructed on the same principle." Such being the case, the Admiralty ought to give Captain Coles a fair and candid trial. But then the Committee had been told that the *Monarch*, a turret-ship of 5,000 tons, was to be built. The question, however, was, by whom was it to be built? Was it likely that Mr. Reed would do justice to Captain Coles in this matter and carry out the design as if he had himself been the originator of it? He did not say that Mr. Reed would do anything ungentlemanly, but it was not in human nature that a man should take up the patent of another and give force and expression to all his ideas. During his recent visit to the United States he (Sir Morton Peto) had had an opportunity of inspecting several of their vessels; and though he found that they made mistakes the same as we did, yet a great deal of what he saw was worthy of attention. He had inspected the *Monadnock*, which was then leaving for the Pacific. She was a vessel of about 3,700 tons, double-turreted, carrying two 15-inch Parrott guns, and about 300 men. She was about twenty-six inches out of the water, had been employed during the whole of the war, and the arrangements for ventilation were admirable. [Lord CLARENCE PAGET: What is her speed?] About 10½ knots. He would admit that she was not a good sea-going vessel; but for harbour defence she was scarcely to be equalled, because she exposed so small a mark to an enemy's guns, while able to inflict great mischief with her own. The noble Lord told the Committee that the difficulty about the broadside-vessels was in not being able to tell what guns would be used in their port-holes. If, however, the turrets were of the size of twenty-six feet the Admiralty would be able to put a gun or two of any size in them, and the difficulty of adjusting the guns to the port-holes would be got rid of. The noble Lord a night or two ago told the Committee that the country was in possession of some thirty efficient vessels, and might feel at ease on this subject. His (Sir Morton Peto's) conviction, on the other hand, was, that although many of these vessels were worthy of confidence, yet that, as a whole, they might be very much improved upon in future. He was very much struck with the recommendation made by his hon. Friend (Mr. Samuda) that a Committee should be appointed to inquire into the best type of vessels to be built. This would not be taking the affair out of the hands of the Government. The Report of the Committee could not be received by the Admiralty as an instruction, but a great deal of valuable information and evidence might be elicited in regard to the best system of construction. He should like to say a word or two as to the construction of ships in private yards. The noble Lord maintained that he had given the private dockyards an opportunity of seeing what they could do. He (Sir Morton Peto) had no interest in any private yard, but he had visited many of them. The truth was that the private builder was bound to adhere to the drawings laid down, and was allowed no discretion, and when the Government ordered a vessel to be built in a private yard, an inspector was appointed by the Admiralty. He was usually a man in the receipt of £2 or £3 a week, but he had supreme control over the builder. This was not the plan adopted by the Cunard Company, when they ordered one of their steamers of the Napiers or other shipbuilders. When the company gave an order for a vessel, certain conditions were given as to speed and floatage, and the builders were allowed to exercise their own skill and knowledge in turning out the best vessel that could be produced. He had examined the *Scotia*, in Cunard's yard, and a finer vessel he never saw, and he could speak as to her sea-going qualities also, as he had crossed the Atlantic in her. But in this country all the inspiration was to proceed from one mind, and how, then, could the Admiralty hope to compete with foreign Governments, which freely availed themselves of all the genius, skill, and ability to be found in our private shipbuilding establishments? This was not the plan adopted in the construction of marine engines. The Government had found that it was better to leave the engines in the hands of the builders, making them responsible for certain conditions. It woule be a great improvement to open the door to the talent of the country in shipbuilding, and to throw the responsibility upon builders and inventors, without subjecting them to the harassing and vexation which poor Captain Coles had had to endure. There was nothing so easy as to learn how not to do a thing, and there was not a single department of the public service which understood this art so well as the Admiralty. He would mention one small matter as a testing point. The first time the noble Lord (Lord Clarence Paget) took his seat upon the Treasury Bench he called his attention to the cost and inconvenience of having two separate Admiralty departments in Somerset House and Whitehall. The noble Lord promised that the subject should receive the most careful consideration; yet the noble Lord would have to go to the Mediterranean without seeing that great reform accomplished. All the promises he had made in successive years had been kept in much the same fashion. He wished to direct attention, not only to the design, but also to the quality of the vessels built. Any hon. Member could visit a Government dockyard and examine the way in which the work was done. He would undertake to say that the work was exceedingly well done, and he did not desire to see it taken from them. Where repairs were required he wanted to see them done without looking for fresh hands; but he thought every one must be struck by the great difference in the amount of work done in the Government dockyards and that done in the private yards; and here there was great room for reform. There was a very marked contrast in this respect between the Government dockyards in this country and those of the United States, and also in the various machines and contrivances adopted in the latter for the saving of labour. He would advise the Government to see if they could not copy something from the other side of the Atlantic, with the view of saving public money. If a scientific Committee such as his hon. Friend the Member for Tavistock recommended, were appointed, they might consider the question of the best size of vessels of war, and whether the building of a vessel of 5,000 tons to carry double turrets was not a great mistake. What the Admiralty wanted was only the tonnage necessary to carry the ordnance, and everything beyond that was mischievous. The more exposed a ship was on account of her size the more likely she was to be injured and to be placed *hors de combat* by a smaller vessel. [Sir JOHN PAKINGTON: Speed?] No doubt speed in a vessel of war was one main element of consideration. In some instances the Government had succeeded in building good ships, but others were failures, and the causes of success and failure were well worthy of examination by a scientific Committee. He should defer any further remarks he had to make until the Votes to which they were applicable were before them; but he hoped he should have from the Government a distinct promise that Captain Coles would have an opportunity of constructing a vessel on his own responsibility, and of doing justice to his name.

MR. FERRAND said, that though he had no practical knowledge to lay before the Committee, yet as he represented a large constituency who were interested in naval matters, he wished to make a few remarks on the speech of the noble Lord the Secretary to the Admiralty. The noble Lord had expressed his regret at the absence of several Members who had formerly taken part in the discussions on naval affairs; but he (Mr. Ferrand) must say he had never known greater talent or more practical knowledge displayed in debate than the House had at present the advantage of. The noble Lord had especially regretted the absence of Sir Frederic Smith. He thought that when that hon. and gallant Officer read the remarks of the noble Lord he would look upon them as satirical, for he had heard that gallant officer say that no person had taken such pains to keep him out of the House as the noble Lord had. Three topics had been dwelt upon by the hon. Members who had taken part in this discussion of the Estimates; and no one had contradicted their statements. These were, first, the unjust treatment of Captain Coles. Second, the dismissal of Mr. Lang and others. Third, the state of our iron fleet. He (Mr. Ferrand) was not acquainted with Captain Coles, and should not know him if he met him; but he had taken great interest in the discussions going on for several years with regard to the invention of Captain Coles and his claims on the navy. For ten years Captain Coles had applied for permission to build a turret-ship, and for five of those years he had made his appeal in vain. Impediments of the most extraordinary kind had been thrown in his way. The cause of those impediments had been freely discussed in the public papers. But, while Captain Coles had been denied the privilege of building one of those ships for the Government of his own country, he had been employed to build them for foreign Governments, and only a short time ago he received a handsome testimonial from the Grand Duke Constantine, the High Admiral of the Russian Navy, in recognition of the way in which he had executed a commission given him by the Government of Russia. He had observed that Captain Coles had applied to the Admiralty in vain for five years; but at length they were compelled by a Committee of their own selection to promise that a turret-ship should be constructed. Afterwards that promise was broken, and different reasons had been given by the Admiralty, and by the opponents of the Admiralty, for that extraordinary conduct. But he believed the real cause was that stated by the hon. Baronet—namely, the fact of Captain Coles having written a letter in a newspaper, which by the Admiralty was esteemed to be a grave offence. He admitted that the writing of the letter was an indiscreet act on the part of Captain Coles, but he had been cruelly and unjustly treated. But if Captain Coles had been indiscreet in publishing that letter, how happened it that Mr. Reed went down to Greenwich and spoke strongly against the Admiralty. He believed that Mr. Reed was an honourable man, and he had not a word to say against him; but the belief out of doors was that Mr. Reed was the principal cause that Captain Coles had not had fair play from the Admiralty. He would read an extract from the letter which he believed conveyed the sting that gave offence to the Admiralty. The paragraph was as follows:—

> "I have the satisfaction of feeling that I have fulfilled all my professions, though under the greatest disadvantage and opposition. I like opposition with fair play; it elucidates the truth; but has this opposition been fair to the country, or have I met with fair play? Give me a hundredth part of the encouragement and assistance Mr. Reed is given, and I think we could turn out a sea-going ship with as much despatch as the *Pallas* or *Bellerophon*, and ensure her being as great a success in her way as the *Royal Sovereign* has been in her's. While speaking of designing ships, I care not who designs turret-ships so long as the naval architect take the matter up *con amore* and is competent. The success of those vessels already built is due to the shipbuilders who designed them. I can only wish Mr. Reed may be equally successful in the designs for the Admiralty turret-ship, of which at present I can offer no opinion, not having seen the drawings."

Now, Mr. Reed himself used the columns of a great journal. If he did not sign his own name to certain letters in that journal, and if those letters were not written by himself, they were by some person under his guidance and direction. That being the case the Admiralty might have shown some kindness and consideration to Captain Coles in respect of the letter he had published, remembering how unfairly he had been previously treated. And let the House remember that, while the Admiralty were considering their offended dignity, the country was suffering in consequence of the navy not being put in the condition it ought to be, while foreign countries were getting the benefit of Captain Coles' invention. Captain Coles, on being informed of the offence he had given, consulted his friends, and wrote a letter of apology, with which the Admiralty were satisfied. Captain Coles wrote, "If I have overstepped the bounds of fair criticism I regret it, and have to apologize for it." What more could be asked of him? He agreed with the hon. Baronet opposite (Sir Morton Peto), and with the hon. Member for Tavistock (Mr. Samuda), that the country would not be satisfied unless Captain Coles had every power given to him for the building of a turret-ship.

LORD CLARENCE PAGET: Perhaps the hon. Gentleman may not be aware that Captain Coles is reinstated. As soon as Captain Coles gave a proper apology, the Admiralty were very happy to reinstate him.

MR. FERRAND: I am very glad of it. But I wish the noble Lord had stated it the other night, and saved me all this time. [Lord CLARENCE PAGET: I had already spoken.] He was glad of the announcement; but he hoped Mr. Reed had been made to apologize for his speech. With regard to Mr. Lang and Mr. Watts, the country had never been able to understand why those eminent shipbuilders were driven out of the service. One of the most curious things connected with this very mysterious affair was that Mr. Lang, one of the most eminent shipbuilders in the world, was dispensed with, while Mr. Reed, who had never built a gunboat, was brought in. It was a kind of family movement; for a number of Mr. Reed's relatives were brought into the dockyards with him. With regard to Mr. Reed, all he could say was that he had notoriously and—without offence—he might say disgracefully failed to redeem his promise to the Admiralty and to the country in regard to his ships. Mr.

Reed's failures had cost the country a million of money, while Mr. Lang had been obliged to employ his great abilities in the service of the hon. Member for Tavistock (Mr. Samuda). He was delighted to hear the noble Lord assure them the other night that the country possessed a fleet of thirty iron-clad ships; but in answer to a home question by the right hon. Baronet (Sir John Pakington), the noble Lord was forced to admit that they were not all sea-going ships. With regard to the speech of the hon. Member for Tavistock, he must say that he had never heard a more practical or a more convincing speech than that which he made the other night on this question. That speech would have an immense effect on the country, not only on account of the person who delivered it, but from the fact that he had secured the services of so eminent a shipbuilder as Mr. Lang. He trusted before this debate closed the noble Lord would feel it to be his duty to grapple with the questions of the hon. Member, and to answer them. He was sorry that he did not hear from the noble Lord the other night a single word as to the claims of the artificers and labourers in Her Majesty's dockyards. Those claims had been pressed upon the House by a large number of Members sitting on both sides. That question was not a party one, but it deeply affected the well-being of a great body of men employed in Her Majesty's service. Their claims had never been shown to be unjust or unreasonable. A short time ago the Lords of the Admiralty received deputations from the artificers and workmen at the different dockyards, and at those interviews their Lordships asked the important question, Whether any amalgamated society existed in those yards? The answer of the men did them great credit, and well deserved the attention of the Committee. "No," they said, "we are a disciplined body of men, at your Lordships' service by day or by night." They could be called upon at any hour to obey the orders of their superior officers. If, for instance, a fire broke out in the dockyard in the middle of the night every man of them would know his duty, and would be found at his proper station. Again, if war arose and any of the dockyards were attacked, these men would be found serving the guns and fighting along with the rest of Her Majesty's forces. He ventured to submit that a body of men of such importance had a right to have their claims fairly considered. The reply from the

Lords of the Admiralty to their claims was as follows:—

> "My Lords have ascertained from private establishments what the rate of wages is, and what is the nature of their engagements, and have thus been enabled to compare their position with that of the artificers and labourers in the dockyards."

But if their Lordships thus placed the artificers in the dockyards on a footing equal to that of the men employed in private yards, why should not those men amalgamate and have strikes for wages? They should remember that these men might be kept loyal to their yards and to the country by the concession of certain privileges, which cost the country but little, and were of great importance to them. The circular went on—

> "After a full examination of the subject, my Lords have come to the conclusion that they would not be justified in recommending to Parliament a general increase of wages as prayed by the memorialists."

What did this mean? Did they think that any of them had fair claims, or did they refuse to every class any increase what ever? This question would be raised when the Vote was moved for on Artificers, and he hoped the noble Lord would bear it in mind. He (Mr. Ferrand) moved for a Return the other night, which was granted by the order of the House. The noble Lord politely let him know that it would not be opposed; but he now wished to know when it would be laid upon the table. [Lord CLARENCE PAGET: It has been laid upon the table.] When the Vote for Artificers and Workmen came before the Committee it was his intention to enter more particularly into that subject.

MR. HANBURY TRACY said, it was a general opinion throughout the navy that what they now wanted, for the safety of our commerce, were fast sea-going cruisers and fast despatch-boats. The sea-going cruisers should be able to go at the rate of thirteen or fourteen knots an hour, and be capable of carrying a large supply of coals. If, in the case of the *Amazon* class of vessels constructed in the Royal dockyards, it was found impossible to obtain vessels of the requisite rate of speed, they ought to try to obtain them elsewhere, and adopt the sensible plan followed by the great steamship companies. The despatch-boats should be capable of going by the measured mile not less than fifteen or sixteen knots an hour; and if the great shipbuilding firms were invited to tender for that class of vessels, they would be able to turn them out of their yards, provided only the Admiralty left them unfettered to construct them on their own responsibility. As to our iron-clad fleet, looking at it as a whole, and comparing it with those of foreign countries, we had a fine and efficient iron-clad navy, equal to cope with any squadron which might be brought against it. The Admiralty ought not to be blamed because the *Research*, the *Terror*, and several others were not as good sea-going ships as might be wished ; and it was only fair to the Admiralty to say that, on the whole, they ought rather to be congratulated on the result they had achieved in that respect. But he thought the time had arrived when they should stay their hands and not build any more iron-clads for the present, but rather test by experiments the comparative merits of different systems. It was to be hoped that the Committee recommended by the hon. Member for Tavistock (Mr. Samuda) would be granted, as it might be able to collect much valuable information, and, probably, also to save the country a very large sum of money. It was not the intention of that hon. Member's proposal in any way to fetter the Admiralty, or to relieve them from the responsibility of carrying out the details ; but that, after fully investigating the different systems, the Committee should lay down the broad line upon which the Admiralty should proceed in regard to the construction of their vessels. The number of boys voted last year was 7,000, of whom 2,700 were to be kept in the training-ships, but last December there were only 6,726 boys, now 274 short of the proper complement, and also 40 less than the proper complement of Coastguard boys. For the future manning of the fleet, much dependence must be placed upon the number of boys reared up in the various training ships, and he hoped the noble Lord would explain how it was that the complement had become short, and if there was any difficulty in obtaining boys. The number of writers in the navy, which at present was only eleven, ought also to be increased, as great advantage had been derived in the army, and in the public offices from the employment of writers. A sum of £525 was asked for prizes for shooting in the Royal Marines. The principle of awarding these prizes should be extended to the navy, and a prize or badge, similar to that given in the army, should be awarded to all seamen who became "marksmen." He congratulated the noble Lord upon having at last introduced the savings bank system into the navy. Hitherto nothing had been done to encourage thrift among sailors, and if a ship were lost the seamen were not recouped for any loss they sustained. A few days before the *Bombay* was destroyed by fire, a petty officer placed £30 in the hands of the paymaster, thinking it would be safe, and he had never received a farthing of it since. It would be wise for the Admiralty, in addition to savings banks, to bring forward some measure for enabling officers and men to insure their clothes. By such means many of the grievances and complaints which were constantly arising would be prevented.

MR. GRAVES said, he had listened with great interest to the statement of the noble Lord in introducing the Estimates, and was especially gratified by the announcement that the minimum in the reduction of the *personnel* of the navy had been reached. Many thought we had already gone too far in this direction, and it was therefore a matter of congratulation to find that the reduction was to go no further. During the last four years we had suffered a loss in our able seamen to the extent of 10,000 men, and from the best inquiries he could make he believed there were not at this moment more than 23,000 able seamen in the service. Looking at the character of the ships of the present day, the mode of their construction, and the scientific and mechanical appliances resorted to in almost every department, it was more than ever essential that we should have the services of skilled artizans of the highest intelligence in the shape of seamen. Such men were not to be found in the merchant service except with rare exceptions, and they could only be obtained by means of the training system, which had been introduced into the navy mainly through the efforts of the noble Lord. The noble Lord might rest satisfied that no portion of the Estimates would be less grudged than that which was intended to be applied to the education of the youth of the country in making them skilled and intelligent seamen. He had taken great interest in this question, and he hoped on some future and not distant occasion to bring before the House the whole question of the position of our seamen, with the view of obtaining an extension to the merchant service of the benefits now conferred upon the Royal Navy in the training of boys. He had no desire to find fault, and was prepared to make great allowance for the Admiralty ; but connected as he was with the great mercantile interests of Liverpool—the second commercial port of the Empire—it was not unnatural that he should ask what steps had been taken to provide for the protection of our commerce ? Two years ago the announcement made by the noble Lord that the Admiralty were about to provide a swift and speedy class of vessels for the protection of that commerce was received with satisfaction. We were then awakening to the startling fact that two small but fleet vessels had literally cleared from the ocean the flag of one of the greatest commercial nations in the world, paralysing her commerce and annihilating her shipping. The noble Lord in 1864 stated that the Admiralty was about to build a new class of ship, not armour-plated, but capable of doing as much service for her owners in the shape of cruising as the *Alabama* had done for hers. In 1865, as the right hon. Member for Droitwich (Sir John Pakington) had already reminded the House, they were told, when the Estimates were brought under their notice, that swift ships, not armour-plated, would be built, and which would act as the police of the seas. Two of those ships were being constructed, and it was proposed to build four more, indeed, he believed they were far advanced in building at this moment. They were to be all of wood, and much of the character of the famous *Alabama*. On Tuesday evening, too, the noble Lord stated that they proposed to build two large vessels of the *Amazon* class, not armour-plated, but having four guns, and capable of going a speed of thirteen knots. That, he said, would be in addition to the two *Amazons* already built and the four others in course of building. But what were the facts as to speed ? At the end of two years the first of that class of vessels was launched and tried, and he was assured that the utmost speed it had attained was a little over twelve knots. [Lord CLARENCE PAGET : Twelve and a half knots.] And he believed that was without stores. [Lord CLARENCE PAGET : No, with everything included.] Now what does this mean ? It was well known that twelve and a half knots under the most favorable circumstances as the measured mile, meant under eleven when the ship was cruising in sea-service trim. That, in his opinion, was anything but satisfactory. What they wanted was a class of swift handy vessels of moderate size, capable of remaining at sea on a cruise of twelve months ; capable of maintaining an average speed of twelve knots under canvas—for canvas should be the normal condition of such vessels, for under canvas the *Alabama* took nearly every one of her prizes—and capable at the same time of using steam upon occasions of necessity and when greater speed was required. Now let us look what others are doing. The ships of the Americans had been alluded to by the hon. Member for Bristol (Sir Morton Peto), and he would supplement those allusions by some information he had received in common with other hon. Members, from a report made by Mr. Donald M'Kay, who had said—

> "There is now in progress of construction the *Chattanooga*, of 3,000 tons, building for the Department by outside parties ; also the *Idaho*, of similar tonnage, and by other outside parties ; while the Department is itself constructing the *Madawaska*, *Wampanoag*, *Neshaming*, *Ammonoosuc*, and *Pompanoosuc*. These vessels are of wood, about 3,000 tons, and intended to have a speed of sixteen knots an hour. They will carry immense batteries, be full rigged, and will doubtless prove the fastest and most formidable ocean cruisers ever built by any Power."

LORD CLARENCE PAGET : They are not armour-clad.

MR. GRAVES : He believed they were not. Indeed, he was speaking altogether of unarmour-clad vessels; but with these facts before them he thought it most undesirable that the Admiralty should go on building ships of the *Amazon* class, without first ascertaining with undoubted certainty whether they could go at a greater speed than eleven knots. If they continued to build those ships of low speed, while other countries were arranging for the protection of their commerce by building ships of much greater speed, they would find the commerce of England unprotected in some future hour of need. It appeared to him that the Admiralty ought to treat the House with candour, and tell them whether the first of this much-boasted class of vessels was a failure or not. If it was true that the *Amazon* class of vessels was useless for the purpose it was designed to answer, he would recommend that not a shilling more be expended upon them, but that conditions as regards size, displacement, power, and speed should be declared, and the private shipbuilders of the country be invited to submit their designs and tenders for fast vessels such as he had described to the inspection of the Admiralty. It was not his intention to enter into the turret-ship discussion, feeling that he was incompetent to deal with a question which required the highest professional skill—he had his own views about it, but would not trouble the Committee with them, but with the design of the ships his experience warranted him in offering his opinions on this point. Returning again to the promises of the noble Lord, he remarked that in 1864 he spoke of some ship of the *Pallas* class, which, if she succeeded, he said, was to be one of the most remarkable ships that the country had ever produced, and which was to go at the rate of fourteen knots. Such were the noble Lords words. Two months previously a high authority in connection with naval construction at the Admiralty stated somewhat boastingly at a public meeting at Greenwich with the utmost confidence that "the Admiralty was building a craft from which neither the *Alabama* nor the *Florida* could hope to escape." Well, that was the *Pallas* that was to be. He would now speak of the *Pallas* that really was. He was informed that the speed of the *Pallas* was only twelve and a half knots, and this, bear in mind, as the measured mile trial. It appeared that she was under commission for many months; that she was now undergoing a variety of repairs and manipulations, especially in respect of her bow. When she went to sea she drove the water before her like a wall, instead of passing it under her to rise naturally as is the case in all other vessels having the slightest pretention to scientific design. So that there could be no doubt that the result of this experiment was wholly unequal to our anticipations. Then, again, take the *Research*, he had been informed by naval officers of authority who knew her thoroughly that she was one of the greatest failures in our navy—slow and a bad sea boat, having on one occasion washed the captain out of his box. He believed she had been under orders to go to the Mediterranean, but after her trial trip with the squadron in the Channel those orders were countermanded, and she has been laying up since in the harbour of Portsmouth or Plymouth. But, setting aside the judgment passed upon these vessels, he would inquire why it was some of the ships were not sent to sea, instead of being kept idle in harbour. Why were they not sent round the Horn, where events of considerable magnitude were occurring? The Spaniards had an iron-clad there, the Americans another, and three others had gone. What better test could a vessel be put to than by such a voyage as that? And if a ship in the course of such a voyage were found wanting, it was high time the system upon which it was built should be abandoned for some other. This was the only true way of testing the matter, and he believed that in no other way could the issue now raised be settled to the satisfaction of the country. He had little faith in such vessels as the *Monarch*, which he believed would be found quite useless for blockading purposes, or for taking up a position in crowded roadsteads. And, besides, such large vessels had other serious disadvantages; for as the speed of a fleet was measured by its slowest ship, so the smartness in handling a fleet was estimated by the largest and longest vessel. His reflection upon the whole question led him to express the hope that the Admiralty would not lay down any more vessels without first ascertaining with more certainty the speed which the plan they built on would give, and that they would also try whether a ship of smaller tonnage could not carry the same armour and be more effective. He trusted that after the Votes had passed the Committee the Admiralty or the Government would come forward and ungrudgingly accede to the appointment of the Committee that had been suggested, which would have the opportunity of testing what statements were true and what were erroneous; and if, in the course of its inquiry, it should be proved that hon. Members had made inaccurate statements or imbibed false prejudices, or that there was an erroneous opinion existing in this country about our iron-clads, no one would be more delighted than he should be to withdraw everything he had said against the vessels he had been alluding to.

LORD CLARENCE PAGET: The reason why I interpose at this moment is for the purpose of answering the many Questions that have been put to me. [MR. CORRY: We shall put many more presently.] I took the liberty the other night of very humbly yet earnestly advising that we should confine our observations to the general condition of the navy, and defer discussion concerning the construction of our vessels till we came to the Vote on this subject, which really interests many Members of this House. But I am bound to say that we have rather transgressed the usages of the Committee in going into the Vote at once. My right hon. Friend the Member for Droitwich (Sir John Pakington) was the first Gentleman who took so unusual a course. I will now proceed to answer some of the Questions put to me.

My hon. and gallant Friend the Member for Antrim (Admiral Seymour), and the hon. Baronet the Member for Devonshire (Sir Lawrence Palk), have brought the case of a very important class of officers before the Committee—namely, that of the Masters. Respecting them, I have so often stated how far we may go that I have very little now to say; but I must protest against the charge of the hon. Baronet the Member for Devonshire, that I have broken my promise to that excellent class of officers. On the contrary, over and over again I have stated within the hearing of the hon. Baronet that, notwithstanding the representations which have been at various times made, I did not think there was any class of officers in the navy which had met with more consideration during the last few years than they. What is it that the Masters want? Committees have made inquiries of every sort, and the Masters have had opportunities of giving evidence before those Committees, particularly that on Naval Retirement; but the members of that Committee will bear me out in saying none of them have been able to tell us exactly what they want. Some said they wanted more pay, others that they wanted to be put in their proper position along with the combatant officers of the navy, and others asked for better retirement. With regard to their pay and their retirement, improvements have been made in both; but as to their rank, they are asking for what is not compatible with the discipline of the navy. The Masters want to go, *pari passu*, according to the date of their commissions, with the corresponding rank of combatant officers, and when on board their ships to take military command accordingly. To make the matter intelligible to civilians who are not conversant with either naval or military affairs, I would ask what would be their feelings if the Sovereign, by her prerogative, were to say all Viscounts are to rank with Earls according to the dates of their titles? The effect of carrying out such a proposal in the navy would be to put many of the Masters above lieutenants, who before were above them; so that, whilst they were lifting up the Masters, they would be lowering the rank of the other officers; consequently it would be impossible to put the Masters on a footing with the combatant rank of officers without committing an injustice to the other classes of the service, and without injuring the discipline. This is the reason why we could not accede to the requests of the Masters in reference to their rank. The Admiralty has ever been desirous of improving the condition of the Masters; they have shown it by giving them Staff Commanders and Staff Captains' rank; and among other concessions that have been made to them, they have received the addition of the Greenwich Hospital pension, the want of which was one of the grievances they brought before the Committee. If I could hold out further hopes as to anything else desired by the Masters, respecting whose merits we all agree, I should be glad. The result to which we have arrived is, that, upon the whole, it would be better to allow the class to die out. We propose to appoint lieutenants, who would do the work quite as well as the Masters; whom, however, I would not at all disparage, for, like my hon. and gallant Friend, many a time have I had to thank my stars for having a good Master. We are driven to this arrangement, by which the Masters themselves will be the chief sufferers. Those persons who may have desired that their sons should be brought up in this class, because of the expenditure required being smaller than that necessary in other classes, will also suffer a great loss. I believe, however, under the extremely difficult circumstances of the case, brought about, I am bound to say, by the Masters themselves, the lieutenants will replace the Masters with advantage to the service.

I was exceedingly pleased to hear the remarks which fell from my hon. Friend the Member for Montgomery (Mr. Hanbury Tracy) concerning my statement the other night respecting the encouragement which should be given to our sailors to contract habits of thrift by establishing savings banks on board ship. If they had an opportunity of investing their money, I believe that much money now squandered would be saved. I hope my hon. Friend will follow up what he has so well begun. I have taken a careful note of many of the suggestions that have been made on this subject. I have to thank both my hon. Friend the Member for Montgomery (Mr. Hanbury Tracy) and my hon. Friend the Member for Liverpool (Mr. Graves), and express my great satisfaction at finding that we have in the new Parliament so many Gentlemen who are taking a deep interest in the important subjects connected with the navy. The hon. Member for Liverpool told us that he was going to bring forward a proposal with the view of establishing a system for training boys for the merchant service. There cannot be any measure which, in my opinion, will be more advantageous to this country than the establishment of such systems at all our great mercantile ports; and I think the example set by the Royal Navy might be imitated with benefit.

With regard to the question of shipbuilding, in which we are all very much interested, I must start with a protest against the interpretation my right hon. Friend the Member for Droitwich put upon a passage in the speech with which I introduced the Navy Estimates last year. I am quite sure my right hon. Friend would not have knowingly conveyed an erroneous impression. He told the House that I promised to build a turret-ship last year. I think I was sufficiently guarded in my expressions; but I will quote the words I used on the occasion I refer to. They were these—

> "The first proposal we have to make is that, if possible, we should endeavour to construct a ship upon the turret principle which shall be a real sea-going vessel. We have never yet succeeded in getting one of these vessels which can be deemed a thorough sea-going ship.

I should like, before I read further, to make one remark with regard to sea-going ships. A sailor would undertake, if you only give him sufficient time, to take almost any ship around Cape Horn; but what we mean by a sea-going ship is a cruising ship, which can remain months at sea blockading. I went on to say—

> "I do not deny that Captain Coles will have considerable difficulties to overcome in constructing a thorough sea-going ship on the turret principle. Everybody knows that a sea-going ship for cruising must have masts and rigging—we know that the turrets must be placed in the centre line of the ship—and therefore, in order to get a clear range for the guns from the centre of the ship you must have as few obstructions as possible at her extremities, because those obstructions interfere with the firing of the guns. That is one of the difficulties which Captain Coles has to contend with, but which I feel confident myself that he will be able to surmount. He has been directed by the Admiralty to prepare drawings, he has had the assistance of draughtsmen from the Admiralty, and he has been furnished with the lines of such of our ships as he might desire to have, with every other assistance that we can afford him, in order that he may be enabled to design a thorough sea-going turret-ship."—[3 *Hansard*, clxxvii. 1158.]

Now, I would ask the Committee whether that was a promise to build a turret-ship? We have every desire—as we always have had—to construct such a vessel, and I trust we have now got the necessary drawings. Captain Coles was directed to prepare drawings of a turret ship, and he did prepare them; but I regret that he took the *Pallas* with one turret as his type. When he brought the drawings to the Admiralty we thought it advisable that there should be a careful inquiry into the subject; and it is, I contend, most unjust to find fault with the Admiralty, and to say we are prejudiced against the system, because of the course which we deemed it to be our duty to take. I have been, I declare, and I can answer also for my Colleagues, as anxious as any man that a proper turret-ship should be constructed, and when we got the drawings from Captain Coles we submitted them to a Committee, one of whose members was Admiral Lord Lauderdale, a nobleman eminently qualified to deal with the subject. There were also on the Committee Admiral Yelverton, second in command of the Mediterranean fleet, and other captains of armour-ships. I will not now enter into the details of the inquiry. Suffice it to say that they condemned the plan, although they were, like ourselves, extremely anxious that some plan for the construction of a sea-going turret-ship should be carried into effect. I shall, I may add, be happy to lay upon the table their Report, for which the hon. Member for Tyrone (Mr. Corry) is about to move. The evidence which Mr. Scott Russell and other eminent builders gave was very valuable, and I think it will be admitted, under all the circumstances of the case, that the Admiralty acted wisely in not constructing that turret-ship. We were most anxious that such a ship should be built, and to obtain the advice of Captain Coles; but it must be recollected that he was not, and did not pretend to be, a shipbuilder. Then, unfortunately, a difficulty arose in the matter. Captain Coles wrote intemperate letters to the newspapers besides a pamphlet which was most unfair towards the Admiralty. He has expressed his regret that he did so. I trust, therefore, that good may come out of evil, and that he may see it is incompatible with the position of an officer who may be in daily confidential communication with a public Department to find fault when it suits his purpose with those under whom he is working. I am, I may add, bound in justice to Mr. Reed to tell the Committee that I conscientiously believe there was not one of us more anxious than he for the adoption of any plan which he thought seemed to promise success.

Having gone now through the state of matters connected with Captain Cowper Coles and the building of turret-ships, I would wish to say a few words in answer to some remarks which fell from the right hon. Gentleman opposite as to Mr. Watts. My right hon. Friend has said the Admiralty had discharged their cleverest men. [Sir JOHN PAKINGTON: I named Mr. Lang.] The Admiralty Constructors disapproved Captain Coles' proposal in 1859, and again in 1861. But in spite of their opinion, the Admiralty undertook to construct the *Prince Albert* turret-ship in 1861.

I will now, with the permission of the Committee, briefly refer to the able speech which was made the other night by the hon. Member for Tavistock (Mr. Samuda). I, in common with the House at large, took great interest in his first address on this all-important subject; but he made some remarks to which I feel called upon to take exception. He told the House that the public had a right to complain of the Admiralty for their dilatory conduct in constructing the *Prince Albert;* but how stands the case? Why, the firm of Samuda were the contractors for building that vessel. They undertook to have her ready for the Admiralty on a certain day. They were, however, nineteen months behind their time. The simple reason, then, why the *Prince Albert* was not at sea at least eighteen months earlier is that the Messrs. Samuda did not carry out their contract. I have here no less then eighteen letters of remonstrance from the Admiralty to the contractors, complaining of their serious neglect of their engagements, and I cannot help thinking it is scarcely fair for the hon. Member to come down to this House and charge the Admiralty with dilatoriness in not having sent the *Prince Albert* to sea up to the present time. I am anxious to hear what explanation he has to give upon that point, and how it is he can defend the conduct of his firm, on whom we were very near being obliged to inflict a penalty for not constructing another vessel, the *Tamar,* within the period of their contract. When the hon. Gentleman finds fault with the Admiralty for not sending the *Prince Albert* to sea, he ought in common fairness to tell us who is the cause of the delay. As to the hon. Gentleman's remarks generally, I look upon them as extremely valuable. I, myself, have always been very desirous that in constructing a new class of ships we should have the advantage of having the subject carefully investigated by a Committee. I am fully alive to the great benefit likely to be derived from such an inquiry, as I have over and over again stated in this House. The Committee to which I have already alluded—presided over by Lord Lauderdale —have succeeded in obtaining a mass of the most useful information from the eminent civilians who gave evidence before them. At the present moment a question of great importance agitates us—I mean the question of whole *versus* partial plating. The hon. Member for Tavistock disapproves the system of building ships partially unprotected—expresses the pleasure with which he saw the Admiralty a few years ago resort to the system of completely armouring their ships—thus making both ends safe from attack—and his regret at finding that they were reverting to the old system of partial plating. Now, there can be no second opinion as to the importance of plating ships all round—if plated all round, they are undoubtedly better protected from shot; but, then, if you have thick plating all round, with the heavy guns of the present day, you must have also enormous tonnage. We are told that the French are adopting this system, but the fact is that they have given up plating all round. In the days of the *Warrior* and *Black Prince* the centre-box principle was adopted. Mr. Reed did not invent that; it was invented by the right hon. Baronet opposite (Sir John Pakington), and consisted in merely plating the centre of the ship. The difference now is that we plate not merely the centre, but carry armour-plating right round the water-line, which is the most vital part of a vessel. The hon. Gentleman the Member for Tavistock thinks, like many others, that he can build turret-ships better than the Admiralty. The hon. Gentleman told the Committee that he could build turret-ships much smaller than we are building them, and he placed before the Admiralty a plan for a turret-ship. Our officers went very carefully into the matter, and it was found that, first of all, he said that he would build the vessel principally of steel. That, no doubt, would make the ship much lighter; but we find that where the rivets join we cannot at present trust to steel. He consequently allowed 300 tons too little on this score. He proposed two turrets of

240 tons, though Captain Coles requires 400 tons for two turrets; and the hon. Gentleman did not know what we needed in regard to weight of equipment, as to which he was short by 145 tons in his calculation. He produced a ship which was, unfortunately, several hundreds of tons short of displacement, and we could not adopt it. In other points the hon. Gentleman was short of our requirements, All these little turret-ships which are being built have not got free-board sufficient; they are not enough out of the water for sea-going ships. Take the case of the unfortunate *London.* That vessel went down because she shipped vast seas over her deck and down into the engine-room. She had a free-board of 8 feet 6 inches to a length of 267 feet The hon. Gentleman's ship was 9 feet out of water with a length of 280 feet, so that it was nearly in the same proportion as the *London.* Then there are persons who advocate the construction of vessels of the *Scorpion* and *Wyvern* class. Now these would, no doubt, be very effective ships under certain circumstances; but they could not be depended upon for cruising, and if the Admiralty had committed our sailors to such craft they would have been met with a cry of reprobation from the whole country. The *Bellerophon* and other ships of the same class, with very little greater length, are about 14 feet out of the water, and I believe that with a much less amount of free-board, they would not be safe cruising vessels. The *Monarch,* too, would have the same height above the water. Now with regard to strength. The test of the strength of a vessel of war was determined by her power of resisting shot; and the ship of the hon. Gentleman would have a maximum resisting power of 444 pounds, and a minimum resisting power of 397 pounds per square foot. Now, the *Hercules,* which is the largest of our armour ships, has a maximum resisting power of 734 pounds, and a minimum of 405 pounds, and the *Monarch* will have a maximum of 504, and a minimum of 407 pounds. Then there is the important question of speed to be taken into consideration. We find that we can handle heavy guns, but if we put these heavy guns in ships we find we cannot get speed, with all the requirements I have mentioned, unless we go to a very high tonnage. I implore the Committee not to place implicit faith in what appears in newspapers about the speed of our ships. The speed by the measured mile is greater than when the ship goes to sea, but that is the case with all vessels, and all this is a matter of comparison. The tests adopted by the Admiralty are more severe than those of mercantile firms. Our tests are six times backwards and forwards; then we take the mean, and arrive at a fair calculation of the speed of the ship at the measured mile. It is, however, impossible to make perfectly exact calculations in reference to the matter of speed. I will tell my right hon. Friend a curious fact. The *Warrior* is his ship. That ship was built on the same lines as the *Black Prince,* and the difference in speed never can be perfectly accounted for. What will turn out to be the exact speed of a vessel appears a secret. With respect to the *Bellerophon* and *Pallas,* I beg hon. Gentlemen not to condemn those ships for want of speed, because very extraordinary facts came to light in these cases. As has been experienced in the French and other navies, this remarkable result was experienced—that while the ships gave a certain speed their engines gave a less, thus showing that the engines were not doing their fair work. The engineers are endeavouring to ascertain the cause of this. First of all we have changed the screws, and it is quite certain that in the case of the *Bellerophon* the results have improved to a very considerable extent. With regard to the *Bellerophon* and the *Pallas,* I hope the Committee will hold their hand and not condemn them at once on the score of speed. The *Amazon* has certainly fallen short of what we expected in her speed about half a knot; but that is all; but will any Gentleman show me any ship of her tonnage that goes as fast as the *Amazon?* [An hon. MEMBER: The *Alabama.*] She is somewhat smaller than the *Alabama;* but did the *Alabama* go faster? No, she could not. Nothing in the world is more desirable than speed; but in order to attain great speed we must have a large tonnage. Then, for our police of the seas we are obliged to have small vessels. These vessels would be indeed like our brigs in the last European war; but I never heard these brigs condemned because they did not go as fast as frigates. We require also vessels that can carry troops, commodious vessels to carry stores for the fleet, and you cannot expect these vessels to have any great rate of speed. I have left many points untouched to which I wished to

advert; but I feel that I have already detained the Committee too long, and I must conclude by thanking them for the attention with which they have listened to me.

MR. CORRY said, he had observed that, as a general rule, the preliminary debate on the Estimates was the only occasion on which any question was fully discussed; and, therefore, he could not adopt the recommendation of his noble Friend by deferring the remarks he wished to make on the policy of the Admiralty in respect of the construction of ships of war to a future day, when the shipbuilding Votes would be considered. But before adverting to that important subject, he wished to make a few remarks in reference to the Vote No. 1, which provided for the wages of Seamen and Marines. There was no part of his noble Friend's statement on Monday night which he had heard with greater satisfaction than that in which he informed the Committee that the Admiralty had abandoned the intention which they entertained last year of reducing the strength of the Coastguard on shore. He considered that intention so objectionable that he had ventured to call the special attention of the House to the subject shortly before the close of the last Session of Parliament; and he, therefore, had derived great satisfaction from the announcement of his noble Friend that a small increase was to be made in the numbers of the force, and that it would be permanently maintained at those increased numbers. But whatever satisfaction he derived from that statement was more than counterbalanced by the reduction shown in the Estimates of 600 Marines, in addition to the 1,000 reduced last year. He must say that he thought this policy most objectionable. His noble Friend had given no explanation as to the cause of this reduction, and he was not surprised at his reticence, because there was no witness examined before the Royal Commission on Manning the Navy in 1859 who had given more emphatic testimony in favour of increasing the number of the Royal Marines. His noble Friend stated in his evidence that in his opinion —for which he gave excellent reasons— the Marines ought to be maintained at 21,000 men; and they were now reduced to 16,400. The late Sir James Graham, whom no one could accuse of having entertained extravagant views on naval questions, gave similar evidence. The Marines, he said, ought to be increased to 20,000 men, and should never be reduced below that number even in time of peace. The policy which had been followed during the last two years of reducing that invaluable force was a most mistaken policy, and he (Mr. Corry) felt it his duty to protest against it in the strongest manner. With regard to the construction of ships, he would first advert to the statement of his noble Friend on Monday night, that, in the last eleven years, £48,000,000 had been spent on the *personnel*, and £47,000,000 on the *matériel* of the navy, whereas, this year, the amount estimated for the *personnel* was £4,170,000, and for *matériel*, £2,500,000; and that the cause of this reduction in the cost of *matériel*, as compared with that of *personnel*, was that the fleet was now in a very fair condition as regards the wants of the country. No doubt he meant it to be inferred that the re-construction of the fleet, so far as armour-clads were concerned, was nearly complete. But he (Mr. Corry) thought his noble Friend had arrived at that conclusion at a very unfortunate time, for we were only just embarking on the great experiment of building sea-going turret-ships, and if that experiment succeeded, it would lead to a re-construction of the navy—the extent of which it was impossible to foresee. But, independently of that consideration, they had been told that our armour-plated fleet consisted of thirty-one vessels of all sizes; and they had all read in leading articles, and heard it stated in Parliament and elsewhere, that wooden ships had become absolutely useless for purposes of war, and that the navy of England should now be counted only by the number of the armour-clad vessels it comprised. If that be so, he asked could any man of common sense attempt to maintain that a fleet of thirty-one ships would suffice for the protection of the British Empire, and of British interests in every quarter of the globe? Such an idea was quite preposterous; but, while he thought that a large addition to the number of our armour-plated ships would be necessary, he could not agree with the hon. Member for Tavistock (Mr. Samuda) that provision ought to have been made for building five or six turret-ships in these Estimates. In the present state of uncertainty as to the principle on which they should be built, he did not think they ought to embark largely in the construction of ships during the present year. But what was the cause of this uncertainty? It was to be traced solely to the supineness of the Admiralty in testing the turret principle as applied to sea-going ships, and he must say that he thought the conduct of the Admiralty in this respect was such as to admit of no justification. His noble Friend said they were anxious to build turret-ships. If so, they had shown their anxiety in a very strange manner. In these days of competition between armour and artillery—when one year they had a target that resisted the most powerful gun, and the next year a gun that smashed the most powerful target, and when the most experienced officers, amongst others Captain Sherard Osborn, who had conducted the experiments on board the *Royal Sovereign*, maintained that there was hardly any limit to the weight of the gun that might be worked on the turret principle—it was the bounden duty of the Admiralty to take measures to solve the problem, without loss of time, whether the turret could be adapted to sea-going ships. But what had they done in this respect? Nothing—absolutely nothing, and at this moment, after the loss of four precious years, they were only talking of building their first sea-going vessel. The story of the turret was a melancholy story, and, as some hon. Gentlemen might not be acquainted with it, he might be allowed shortly to state what had passed on the subject. So long ago as September, 1860, models and drawings were submitted to the Admiralty by Captain Cowper Coles, showing the adaptation of the cupola to sea-going vessels, but no design of any particular ship was sent in at that time, and he (Mr. Corry) adverted to the circumstance merely to show that the attention of the Admiralty had been directed to the subject nearly six years ago. But early in 1861, Captain Cowper Coles was requested to send in a memorandum of the requirements of a sea-going cupola-ship, and on this memorandum a design was prepared (not by Captain Cowper Coles, who did not pretend to be a naval architect, but by a draughtsman in the Controller's Department) for a vessel to have two cupolas, each carrying two Armstrong breech-loading 100-pounders, the most powerful guns at that time used in the navy. This design was sent in early in 1862, but it was never carried out, and Captain Coles had never been told why it had been abandoned. But his noble Friend stated in this House last year that the reason was that it did not provide sufficient flotation for the weights to be carried. Now he (Mr. Corry) could say from experience, that if the Admiralty had been in earnest they would not have been deterred by such an objection, because nothing was easier than to alter a design so as to obtain increased displacement. When he was at the Admiralty under the Government of the late Sir Robert Peel several experimental ships were built after drawings sent in by private shipbuilders, and as these gentlemen had not had much experience in ships of war, it sometimes happened that the proposed flotation was found to be insufficient. But the Admiralty did not reject the designs upon that ground if they were considered in other respects to be good ones. On the contrary, they put the constructor into communication with the Surveyor of the Navy, as he was then called, and requested that such alterations should be made as would remedy the defective displacement; and if the present Board of Admiralty had been really anxious to try the experiment of a turret-ship, the difficulty as to flotation could very easily have been overcome. Nothing, however, was done in 1862, and here he (Mr. Corry) would observe that an event occurred early in that year which might have opened the eyes of the most drowsy Board of Admiralty as to the necessity of testing the turret principle with the least practicable delay. In March, 1862, a broadside armour-plated ship for the first time appeared in action, attacked single-handed a large squadron of the most heavily armed ships of the American navy, and, having sunk two of them, would infallibly have destroyed the remainder, if a *deus ex machinâ* had not appeared in the shape of a turret-ship—the *Monitor*—which engaged her formidable antagonist, the *Merrimac*, and succeeded in driving her away. It was quite true that the *Monitor* was not a sea-going ship, but she proved the great power of the turret principle, and from that moment it became the bounden duty of the Government not to lose a single hour in ascertaining whether that principle was or was not sound, and whether or not it could be applied to sea-going vessels.

LORD CLARENCE PAGET: — The *Monitor* was not a sea-going ship.

MR. CORRY had just stated that he was aware she was not, but he thought that was no excuse for the remissness of the Admiralty. Well, as he had said, nothing was done in 1862, but in February, 1863, Captain Coles urged upon the

Admiralty the importance of constructing at all events one sea-going turret-ship; and the result was that Mr. Barnaby, a very able constructor in the Controller's Department, was placed in communication with him, and a design was prepared for a ship with tripod masts, with two turrets, and to carry four 300-pounders. That design, however, shared the common lot. Nothing more was done; and when Captain Coles, who was naturally anxious to know why it was rejected, made inquiries at the Admiralty on the subject, he was told, with more dignity, he (Mr. Corry) thought, than wisdom, that such information was never given the inventors. The greater part of the following year, 1864, was passed by the Admiralty in a state of tranquil repose, as far as the turret was concerned; but, towards the end of the year, Captain Coles again raised the question, and requested the assistance of a competent draughtsman, and to be furnished with the drawings of the *Pallas*, in order that a design might be prepared for a turret-ship of the same class. After some hesitation this request was granted, and in April last year drawings were sent in for a ship with one turret to carry two 600-pounders. That design was referred to the Committee presided over by Lord Lauderdale, and the Report, although it did not recommend it for adoption, bore strong testimony to the distinctive advantages of the turret system of armament. The design was rejected chiefly on the ground that it provided for one turret only.

Lord CLARENCE PAGET: There are other reasons for the rejection of the design.

Mr. CORRY: On former occasions Captain Coles had proposed two turrets, but being limited to the size of the *Pallas*, he found it would be impossible to provide for them in this design.

Lord CLARENCE PAGET: Captain Coles has not been restricted to a certain tonnage.

Mr. CORRY was merely giving the reason assigned by Captain Coles for not having proposed two turrets in the design of 1865. At length they had been told that a sea-going turret-ship was to be built—the *Monarch*—of 5,100 tons. But by whom was she to be built? Why, by Mr. Reed, the avowed enemy of the turret system.

Lord CLARENCE PAGET: Mr. Reed is not an enemy of the turret system.

Mr. CORRY did not mean to use the word in an offensive sense, but, at all events, Mr. Reed was the advocate of a totally opposite system of his own. That was very much like requiring an allopathic doctor to treat a patient upon homœopathic principles, an experiment which would not be likely to produce a very satisfactory result. With respect to the ships which had recently been built, he (Mr. Corry) thought it was much to be deplored that the Admiralty had not treated Mr. Reed with something like the same degree of caution and reserve that they had used towards Captain Coles. Doubtless, Mr. Reed was a gentleman of great ability and of high education; but, unfortunately, when appointed to his present office by the Admiralty he had had no practical experience in shipbuilding, and he was afraid he was now acquiring it in a manner somewhat costly to the nation. Some years since the noble Lord told them that Mr. Reed came to the office and said, "You are building ships of an enormous tonnage and at an enormous cost. I am sure I can build a vessel very much smaller, very much handier, and very much cheaper." Mr. Reed appeared to have said nothing about speed, but the noble Lord supplied the omission, for he went on to say, "the *Pallas* will have great speed. We believe, indeed, she will be the fastest ship in the navy. She will be supplied with a limited armament." Speed, in short, was the great object, and, to this, power of fighting was to be subordinated. But the result was that the *Pallas* attained a speed of only about 12½ knots an hour.

Lord CLARENCE PAGET: The trials of the ship were not concluded.

Mr. CORRY inquired why those trials had not been concluded? Because, forsooth, she was being continually altered in the hope of getting a little more speed out of her. The same promise had been held out in the case of the *Bellerophon* with nearly a similar result. The fact was that many of the old wooden ships which had been converted into armour ships were faster than the new vessels built expressly for speed. Of the earlier ships the *Warrior* was more than a knot and a half an hour faster than the *Pallas*, and the *Agincourt* had reached a speed of nearly 15½ knots an hour.

Lord CLARENCE PAGET: The *Agincourt* was loaded when she took her trial.

Mr. CORRY said, a man need not be a conjuror to turn out a short ship and a cheap ship if she was also a slow ship, and the late excellent and experienced chief constructor, Mr. Watts, would have had no difficulty in making the *Warrior* and the *Agincourt* shorter and cheaper ships if those objects had been sought at the sacrifice of speed. It must also be remembered that Mr. Reed had had the advantage of having in his ships engines worked with superheated steam, which had not been introduced into the service at the time when the engines for the *Warrior* and *Agincourt* and the other older armour-clad ships were ordered. Before the introduction of superheated steam it was thought a good performance if engines worked up to 4½ times their nominal power, whereas they now work up to six times their nominal power, and this advantage ought to give an additional speed of one knot in the case of such vessels as he was speaking of. In other words the speed of the *Pallas*, with engines on the same principle as those of the *Warrior*, would be one knot less than it is, and the speed of the *Warrior*, with engines on the same principle as those of the *Pallas*, would be one knot more than it is. There was hardly a ship designed during the last three years which had not undergone extensive alteration. He had by him a list which he believed to be correct; but before referring to it, he would quote a passage from a speech made by the noble Lord the Secretary to the Admiralty in 1859. The noble Lord said on that occasion—

> "He wished to speak of the reckless alterations of new ships; almost every ship was altered; there was scarcely one that had not undergone some frightful operation some time or other. Take the case of a three-decker, the *Howe*, 121 guns. She was laid down only last year or the winter before, but the dockyard people were now pulling her down to put a new bow upon her. . . . Another case was that of the *Immortalité*, a 51-gun frigate, now being built at Pembroke. That unfortunate ship had gone through a great deal of trouble. She was first of all lengthened amidships. Last year, orders went down from the Admiralty to lengthen her five feet by the bow. . . The result was, as might naturally be supposed, that either the First Lord himself, with his fine nautical eye, or some other member of the Admiralty Board, saw upon visiting her that she was not fit to go to sea, and ordered her to be pulled down again, and lengthened fifteen feet. Such instances of official blundering would be amusing if they were not so costly."—[3 *Hansard*, cliii. 46.]

Now, referring to the list to which he had alluded, he found that the *Pallas* had had her bow altered once, and he believed twice. The noble Lord informed the House two years ago that great things were to be expected from "a remarkable peculiarity" in her bow, but it was found to throw up such a sea as to flood the deck through the hawse-holes, and it was absolutely necessary to alter its form. Masses of solid timber had been bolted on outside the armour-plating at the water-line, but he was informed that the wave was nearly as bad as before, when it was so terrific as to excite upon one occasion the fears of a pilot to such an extent as to cause him instinctively to exclaim "Breakers ahead!" An upper deck had also been put on the *Pallas* forward and aft, connecting the square box with the stem and the stern, and she was now in dock having a Griffiths' two-bladed screw substituted, in the hope of coaxing a little more speed out of her, for the original four-bladed screw with which she had been fitted. The *Bellerophon's* bow had been altered upon the same principle, and an additional deck had also been put on, not only for the safety of the ship, but also for the accommodation of the crew, a small point which appeared in the first instance to have been overlooked. The screw of this vessel had also been changed. The *Lord Warden* was at the present time in dock undergoing alterations similar to those of the *Pallas* and the *Bellerophon*. The *Research* was either now in or going into dock at Sheerness, for the purpose of receiving a continuous upper deck like the *Pallas*. Her sides had also been altered, and fixed iron bulwarks, giving the appearance of the sponsors of a paddle-wheel steamer, had been substituted for the swing gates with which she was originally fitted, for the purpose of enabling the guns in the square box to be trained forward and aft. The *Danae*, a sister ship to the *Amazon*, and still on the stocks at Portsmouth, was having her bow altered from that originally designed, in order to obviate the defects which were found to exist in the bow of the *Amazon*. In short, he believed there was not one of the ships commenced within the last two or three years which had not undergone extensive alterations, and he trusted that when his noble Friend the Secretary of the Admiralty again made a speech from the Opposition side of the House, similar to that which he made in 1859, he would bear in mind what a deal of trouble the *Pallas* and her consorts had gone through, and would show a little fellow-feeling for the failings and imperfection of naval constructors and Boards of Admiralty.

Before sitting down he desired to call the attention of the right hon. Gentleman the Chancellor of the Exchequer to a point of great importance if only in a financial point of view. His noble Friend had stated that the Admiralty could not undertake to construct an armour-plated turret-ship for sea-going purposes of less than 5,100 tons, but his hon. Friend the Member for Tavistock (Mr. Samuda) had stated that he would undertake to build such a ship, with every accommodation, with a tonnage of only 3,500 tons.

Admiral ERSKINE: At what speed?

Mr. SAMUDA: The speed of our fastest frigates—fourteen or fifteen knots.

Mr. CORRY said, that he held in his hand a letter from his hon. Friend the Member for Birkenhead (Mr. Laird), who was unfortunately prevented from attending the House through indisposition, in which he also expressed the opinion that a sea-going turret-ship could be built of 3,500 tons, to carry four 600-pounders with great speed, and with ample accommodation for her crew; and his hon. Friend maintained, moreover, that a ship carrying such an armament would be more powerful than any vessel afloat. Mr. Oliver Lang, who had been referred to by the right hon. Baronet the Member for Droitwich as one of the most distinguished naval architects in Europe, and Mr. Watts, the late chief Constructor of the Navy, a gentleman of great experience and ability, both entertained the same opinion. [Lord Clarence Paget: What thickness of armour?] The hon. Member for Tavistock had mentioned six inches. Moreover, Captain Coels objected to a ship of such large tonnage as 5,100, and maintained that such a vessel would not test his principle in the least degree, and that, if failure should ensue, he could not be held responsible for it. He would suggest to the right hon. Gentleman the Chancellor of the Exchequer to consider whether, having heard the opinion of all these eminent and experienced men, it would not be worth while, as a mere matter of finance and economy, to try the experiment of building the smaller vessel, and he believed the Budget would show an ample margin for the purpose. Let the Admiralty by all means build a ship of 5,100 tons at the same time if they pleased, but it would tend to a great saving of future expenditure if it could be shown that efficient sea-going turret-ships could be constructed on a much smaller scale than was contemplated by the Admiralty. If the Government did not consent to the trial of the experiment, he should certainly, if his hon. Friend the Member for Tavistock brought such a Motion forward, vote for referring the whole subject to a Select Committee.

Mr. SAMUDA said, he had listened attentively to the criticisms which the noble Lord the Secretary of the Admiralty had bestowed upon the observations made by him upon a previous occasion; but before he replied to them he would say a few words upon the remarks, more personal in their nature, which had fallen from the noble Lord with respect to some contracts in which he had been engaged. It would be in the remembrance of the House that with reference to the *Prince Albert* he (Mr. Samuda) had expressed his deep regret that though the vessel had been out of the hands of the contractors for twelve months the Government had not during that period given her a trial—or if they had given her a trial they had done so only while the Navy Estimates had been before the House. Although he had listened very attentively to the remarks of the noble Lord, he had heard no answer to that charge. A counter-charge, indeed, appeared to be made, and it assumed this form: "If the Admiralty have done wrong, you have done wrong also." He could not, however, regard that as a sufficient answer. The noble Lord said that the ship was contracted for by Messrs. Samuda, Brothers, the firm of which he was a member, in 1861. He felt quite sure that the noble Lord meant in 1862, and that the noble Lord would be willing to correct the error. The noble Lord said that the completion of the vessel was delayed, because Samuda, Brothers, deceived the Admiralty in carrying out the contract. These were hard words; but what were the facts? When the order was given to his firm to build the vessel in April, 1862, it was intended that the vessel should be constructed with 5½-inch armour-plates and with 10-inch teak backing; but, more than three months afterwards, a fresh order was given that the ship should be built with 4½-inch armour-plates and 18-inch backing. As this involved the undoing of all that had been done, was it fair that it should have been kept from the House when the firm was charged with having deceived the Admiralty? Further, during the process of construction the Admiralty required a great number of alterations and additions, each of which was described in writing, the statement being accompanied by a note asking for an estimate before the alteration was made. Therefore, that which was finally delivered to the Admiralty was a very different thing from that which the firm originally contracted to supply; and for these alterations the Admiralty had paid no less than between £8,000 and £10,000. The construction of the vessels prolonged by these alterations, was completed towards the end of 1864. Notice of the fact was given to the Admiralty, who, after the usual delay for surveys, at the end of January or early in February, accepted the vessel as satisfactory in every respect, and paid the balance of the contract. From that day to within a fortnight of the present time, that vessel had not been tried. He hoped the Committee would think this explanation sufficient to vindicate him and his firm from the charge of having caused delay by deception. He had shown that including the three or four months lost at the beginning, and the delay caused by doing the work almost over again, the vessel was completed in two years and eight months. But compare that with the case of the *Bellerophon*, the plans of which, according to a speech of the noble Lord, were approved by the Admiralty on the 23rd of July, 1863, and which was not ready yet, and might not be before July of the present year. Already, therefore, the *Bellerophon* had been longer on hand than the *Prince Albert*, notwithstanding that the builders of the former vessel had all the resources of a Government yard at command, and notwithstanding the greatest possible exertion and the prosecution of the construction night and day. He had been appealed to by the hon. Member for Bristol (Sir Morton Peto) as to the course followed by the Admiralty towards a private builder to whom they had given an order. There was so much inspection and direction, and so many substitutions, with drawings for the smallest matters, that it would be no disparagement to a private firm to be five years instead of two in the execution of a contract, because the work could advance only at such a speed as the Admiralty would permit. Under such circumstances, the statement which had been made was unjust, and if the word were Parliamentary, he might designate it as garbled. With reference to the vessel he had suggested to the Admiralty, the first complaint made by the noble Lord was that there was great deficiency in the displacement. What he (Mr. Samuda) gave would be allowable, because he introduced steel instead of iron. But the noble Lord objected that steel was bad at the connection of the plates, and that the Admiralty dare not try it. Was the noble Lord aware that steel had been very largely used in the sides of the *Bellerophon*, the last iron vessel built in the Government Dockyard? How was this, if steel could not be used in a cupola ship? The noble Lord said they (Messrs. Samuda) did not know what equipment was required by the Admiralty, and that the equipment allowed for, in stores, provision, shot, shell, &c., was less than that required by 140 tons; but the allowance was based upon a detailed statement furnished by the Admiralty some years ago, when several private builders were applied to to design the first iron-clad vessel. He understood, however, that the suggestion of insufficient equipment was to be accounted for by the fact that the Government proposed to double the usual requirements of ammunition on the ground that while in port-hole ships the calculation was based on the fact that the guns could be fired on one side only, in the turret-ship the gun revolved and could be fired from both sides; the weight of the equipment in the former, therefore, was double that in the latter. If the weight could be carried, he had no objection to allow for it; but was it fair, under these circumstances, to criticize as deficient the equipment of the ship he had suggested? Then as to strength, which the noble Lord would have the Committee believe was quite insufficient, the thickness of armour in the suggested vessel of 3,500 tons was generally six inches, the same as in the *Bellerophon*, whose backing, however, was considerably less than that suggested. The weight of the armour was 440 lb. per square foot in one case, and 453 lb. in the other, the slight difference being caused by his using steel behind the armour, while iron was used in the *Bellerophon*. The armour, therefore, was the same, with this important difference however, that the vessel he suggested was to be covered from end to end, and the *Bellerophon* was not: something like a little more than one-third of her entire length was covered—about 128 feet out of 300 feet. [Lord CLARENCE PAGET was understood to say that there were two shields—one at each end, and that one-third of the hull was armour-plated.] He (Mr. Samuda) had been told that there was no protection at her stern. At any rate, whether she had one-third or one-half of her entire length plated, she had a portion totally unarmed, and, as he had before observed, liable to destruction from artillery of any sort The noble Lord had said that vessels of the cupola class required to be 14 feet out of water; but he (Mr. Samuda) denied that they did require that height. All that was necessary was to give the ship a sufficient amount of height from the water to make her a really good sea-going ship, and at the same time to give her a sufficient amount of accommodation inside for the officers and crew who had to sail in her. Now, with regard to the amount of accommodation for officers and crew, he could inform the Committee—having gone with great care into that as into the whole matter—that the amount of superficial measurement allowed in the 3,500 tons turret-ship was greater by nearly 20 per cent for each officer and man on board than that which was given by the Admiralty in their own sea-going ships. If he took the cabin accommodation given in the *Belvidera*, which was one of the 50-gun sea-going frigates, there was 16 feet per man allowed. In the cupola-ship there was 19½ feet. If he took the cabin accommodation in the iron-plated frigates *Defence* and the *Resistance*, there was 18 feet per man, against 19½ in the cupola ship. He felt it was scarcely fair to the Committee or to himself to enter into details so as to follow, to the extent that was almost necessary, many of the allegations which had been made by the noble Lord; but they implied, if correct, such an amount of ignorance on his part that he would consider himself perfectly incapable of making any suggestion at all if he had fallen into such grievous errors as the noble Lord had attributed to him. Again, the noble Lord referred to the weight of the cupolas, and said, "You have only given her 250 tons; whereas clearly 500 are required." But would the noble Lord inform the Committee of the weight of the cupolas which were put into the *Prince Albert*? They were plated with a much smaller proportion of iron than he (Mr. Samuda) proposed. But the difference was easily described. The weight of the cupolas was 90 to 100 tons, and they were plated with 4½-inch plates. Did the Committee see anything extraordinary in suggesting 150 tons for those cupolas which were to be plated with 6-inch iron generally with an additional 5-inch plate only in the vicinity of the guns? If ever there was a case made out for investigation it appeared to him that this was one. When they found such men as the hon. Member for Birkenhead (Mr. Laird), and, as the hon. Member for Tyrone (Mr. Corry) had stated, that Mr. Laing and Mr. Watts agreed as to the possibility and probability of producing such a result as he had indicated, it would be a perfect waste of public money to press forward this large class of ships, which would have the effect of leaving the cupola system improperly developed for a number of years. The whole advantage of the cupola system was entirely thrown overboard if the principle laid down by the Admiralty was admitted. The idea of a cupola ship was this—to be able to put in a small hull very powerful and heavy artillery. The Committee would recollect that the country had been instructed for the last three years by the Admiralty that in the *Warrior* and vessels of her type they had made a great mistake, and the proposal of the present Constructor of the Navy was to do with 4,000 tons instead of 6,000 like his predecessors. But now it was proposed in designing a cupola ship to go beyond 4,000 tons, and to lay down a vessel of 5,000 tons, in which case, as he had said, the cupola system would be made to bear all the disadvantages of size that were indispensable to the port-hole system—and one of its advantages would be entirely ignored.

Mr. LIDDELL said, he wished to address one or two remarks to the Committee, before the discussion closed, on a totally different subject, which he would be precluded from referring to upon any specific Vote. His noble Friend told them in his opening speech that they would be surprised if they knew the continually increasing demand upon the Admiralty for greater assistance made by various officers in different parts of the world, and he referred especially to China and Japan. He (Mr. Liddell) heard that statement with great apprehension, and took this opportunity of expressing an earnest hope that those calls for assistance would not be attended to. He had referred to the last published shipping lists from those parts of the world, and the Committee would perhaps be startled when he told them that our fleet on those coasts on the 15th of January, numbered forty-six vessels of war. The Committee would see that this was a question that they really had now under consideration—the question of the national expenditure—and the simple point he wished to put to the Government was—Was that gigantic fleet necessary in those seas? We had treaties of peace and of commerce with the countries on whose shores the fleet was stationed. A considerable lapse of years had taken place since those treaties were signed, and he presumed the treaties included the usual stipulation that security would be afforded to the subjects of nations trading with those countries under those treaties—security to life and to property.

It was a natural question, therefore, to ask whether a fleet of forty-six armed vessels was necessary to give security to life and property in countries with which we had peaceful relations. He supposed he should be told that this fleet was necessary to put down piracy, which was very rife in those seas; but in maintaining that extravagantly large fleet—and he used the word "extravagantly" in a double sense—were we not encouraging those countries to fail in that which they were bound to do—namely, to maintain the police of their own coasts? It was a question of policy whether this country ought to go on expending such a large amount of the taxation of this country in doing that for Japan and China which they ought to do for themselves, or at least in great part, and which they were bound by treaty to do. While he complained of the extravagance which kept such a large fleet in these seas, he must draw attention to two remarkable instances in which the lives and property of British subjects had been imperilled by the total absence of any ships of war. He alluded to Jamaica and Chili. When the Chilian blockade was declared on the 29th of September, our only war vessels in those seas were at Vancouver's Island and Callao, far away from any of the Chilian ports. The Spanish fleet left Callao on the 17th September, with the avowed purpose of blockading Valparaiso and other ports; but Commodore Harvey with the *Leander* remained at anchor at that place, leaving British interests wholly unprotected, while the Admiral of the station was absent at Vancouver's Island. Again, in Jamaica, Governor Eyre stated that in October there was not, unfortunately, any British ship of war at hand, and he had to charter a French vessel to convey troops to Morant Bay, where they arrived just in time to save the settlement; and at Port Antonio the principal inhabitants, to preserve themselves, had taken refuge, not on board an English man-of-war, but on board an American ship. If these were isolated stations, far removed from English communication, he might have said less on the subject; but Valparaiso and Jamaica were each what might be called centres of stations, and he thought that some of the vessels now employed in guarding Japanese and Chinese commerce would have been more advantageously occupied in protecting British lives and property at these two places.

MR. SEELY said, he rose to repeat his former complaints of the manner in which the Admiralty accounts were presented to Parliament. He believed it was quite possible to produce an account by which any Member might ascertain almost at a glance what each dockyard cost, and the amount of work produced for the money. The accounts of the various dockyards were, it was true, contained in the Estimates, but there was no one account by perusing which Members could understand what proportion the expense of building a ship at one dockyard bore to the expense of building one at another. There should be such an account by which the difference of expense between building ships at public and private dockyards could also be shown. There was another question on which he wished to offer a few remarks. Certain statements with reference to the Admiralty accounts which he had made during last year had been contradicted in a pamphlet drawn up by the Accountant General, and issued in last June by the authority of the Lords of the Admiralty. It would occupy the House too long if he entered into any statement on the subject; but he asked the noble Lord (Lord Clarence Paget) to allow the persons who drew up the Admiralty report to confer with his (Mr. Seely's) secretary, who had drawn up the statement which he had made. If they could not come to an agreement on the points in dispute, the question could then be referred to a professional accountant named by any Gentleman on the Treasury Bench. He also asked the noble Lord if the Admiralty continued to pay to Messrs. Brown, Lennox, & Co. for anchors the same rate that they paid last year?

COLONEL SYKES said, he fully agreed with the hon. Member for Northumberland (Mr. Liddell) in the remarks which he had made with reference to the large squadron maintained on the coasts of China and Japan. He found from a list which he held in his hand that the fleet on the Chinese and Japanese coasts consisted of forty-seven vessels, forty-four of which were armed steamers. He believed that no hon. Gentleman present understood what the meaning was of keeping up such an immense and costly naval establishment in that part of the world. The Chinese Government was not hostile—at least not openly hostile—to England; moreover, it had not any fleet for hostile demonstrations; and as to Japan, on a recent occasion three English ships of war, assisted by two or three foreign vessels, succeeded in enforcing the execution of a treaty signed by the Emperor of that country, the discovery having at last been made that the Emperor of Japan combined in his person the offices of spiritual and secular Emperor. The coast of China was about 2,000 miles in extent, and was throughout its whole extent infested by pirates, and if there was any justification at all for keeping forty-seven vessels of war in China it was to put down piracy; but the English ships of war could not pursue the pirates' junks into the shallow creeks, and they were therefore almost entirely useless in checking piracy, and some thirty of these vessels might quite as well be elsewhere. Besides, it should be remembered that these pirates principally confined themselves to attacking vessels belonging to their own countrymen, and rarely molested an English ship. Some time since an English man-of-war did succeed in capturing a pirate vessel and brought the crew into Amoy, and the captain delivered them over to the Chinese mandarins. Some of the crew managed to obtain money to bribe the authorities, and the result was that the men who had bribed the mandarins escaped all punishment, and the mandarins put to death all who were penniless. It would appear from this that the effect of keeping up an English fleet on the Chinese coast was only to put money into the pockets of the mandarins. The House had now been for two nights engaged in discussing, not the Estimates themselves, but matters which were not in the Estimates at all. They had discussed the rival merits of Captain Coles and Mr. Reed, of turret and broadside ships, but they had not yet touched on the matters really contained in the Estimates; and now, when they were about to consider the Estimates themselves, the hon. Member for Tavistock (Mr. Samuda) told them that the figures were unintelligible and only calculated to confuse and embarrass the Committee. No doubt a good deal remained to be done; but in justice to the noble Lord (Lord Clarence Paget) he must admit that his Lordship had shown the greatest anxiety to afford the House for the last three Sessions increasing information annually. In 1859-60 the Naval Estimates comprised 104 pages, with two appendices. In 1865-6, 131 pages, with 13 appendices, and the present Estimates had 201 pages and 22 appendices. Some of the pages might be omitted, but in the appendices for the first time, there was a Return of the number of ships of war we had afloat; and there was also a table which, however, had been previously given, of the number of ships in commission. But there was not any information as to the number of officers and crew, or the cost of each vessel. He held in his hand a tiny octavo paper, in which all that information was given in respect to the French navy, so that every Frenchman who could read and write was in a position to ascertain the number of ships afloat, how they were manned, and how much each ship cost annually. The adoption of the French condensed tabular information would render the English Estimates less bulky. To return to the present Estimates. Vote 2 related to victuals and clothing. Now, ought not the two items to be separated, and a Return made of the number of persons for whom victuals were required, for what number of days, and the cost of each ration? A similar remark might be made with regard to the clothing, for at present it was impossible to ascertain what was the cost of each suit. Now, all these particulars were most clearly and distinctly given in the French Budget. From the want of a general abstract of the number of persons, military and civil, to be paid for from the Estimates, the House is in ignorance of the total number employed, and even in each Vote the number could not be read off at a glance; for instance, it would puzzle his noble Friend to state what number of persons were included in the Vote headed "Admiralty." He could tell his noble Friend, because he had taken the trouble to add up the various figures and denominations, but a clerk at the Admiralty might just as well save a Member of that House the trouble. It was just the same with regard to every other department of the navy. The number of persons were not procurable, though he admitted that a great improvement had taken place in reference to the way in which the amounts to be voted for the different departments was shown. The adoption of the French system of tabulating and classifying would save hon. Gentlemen a great deal of labour, and his noble Friend considerable trouble and vexation. His noble Friend had said that there was no prospect of a diminution of the Navy Estimates. That was unhappily true. It was made to appear that this year there would be a saving of £4,071; but this was not the fact, for it happened that in the net accounts the extra receipts, which were £157,591 last year, had this year gone down to £149,163, so that, in reality, the present Estimates were £4,357 more than they had been last year, and why was there no prospect of the Estimates being reduced? The House had sanctioned the building of leviathan ships of war, which cost half a million each, and before the Government and the Admiralty were satisfied that such vessels were the best kind of ships to be had, the House was induced to grant sums of money for constructing docks to put them in. Exclusive of the money that would be granted this year for these extensions, £2,710,150 would be required to complete the works. Under these circumstances, therefore, the Estimates, instead of decreasing, must necessarily increase every year, and he did not see how the Chancellor of the Exchequer could reduce taxation with such a drawback upon his means.

LORD ELCHO said, he wished to put a Question of which he had given his noble Friend private notice. It referred to a matter affecting the character and discipline of the navy, or at least of the crew of one of Her Majesty's ships. In *The Morning Star* newspaper of the 15th of February last, under the head of "More Facts from Jamaica," there had appeared in large type a letter occupying two columns and a half, signed by a gentleman whose name he was unable to pronounce, but who, he believed, was the paid secretary of the Anti-Slavery Society. The concluding paragraph of that gentleman's letter was as follows:—

> "It is greatly to be apprehended, Sir," (the letter was addressed to the Editor of *The Star*) "that with every succeeding mail we shall receive evidence of atrocities committed that will make the stoutest heart sick. Twelve of the crew of the *Wolverine* are accused by an eye-witness of having perpetrated, during two days, upon the person of a Mrs. Henderson, a Methodist class-leader, a series of the foulest outrages; but the witness's tongue was sealed."

Now, he ventured to think that this accusation against twelve of the crew of Her Majesty's ship *Wolverine* seriously affected the character and discipline of the crew, and he would, therefore, ask his noble Friend, If any knowledge of the so-called fact from Jamaica, as related in *The Star*, had come to the Admiralty; and whether it was not the opinion of his noble Friend that it was desirable, for the sake of the navy, and for the sake of the character of the crew of the *Wolverine*, that this letter should be sent to Jamaica to be inquired into by the Commission there sitting? His own feeling was that this was a matter which should be inquired into with a view that, if true, due and proper punishment should be awarded to these men: if untrue, that those who wrote and those who published stories such as this—affecting the character and discipline of sailors of Her Majesty's fleet—should be held up to well-merited and just reprobation.

LORD CLARENCE PAGET said, he wished to correct a statement which he had made, and which perhaps might be misunderstood, as to the position of the Masters. He had stated that Masters could not rank with lieutenants, with regard to the date of seniority. That statement, however, had reference to military rank. A lieutenant, therefore, was not allowed to be put under a Master on the quarter-deck, even though the Master should be of a higher seniority than the lieutenant. The Masters ranked according to the seniority of their commission, but they held no military rank on deck. The hon. Member for Lincoln (Mr. Seely) had asked whether his secretary could be permitted to go to the Admiralty in order to correct certain misapprehensions respecting the accounts of the Accountant General of the Navy. The hon. Gentleman had been of great service to the Admiralty, and he should be extremely glad to go into the matter with him. His hon. Friend the Member for Northumberland (Mr. Liddell) seemed to be of opinion that the increased forces at distant stations were not available when they were wanted, and had asked how it was that when the Spanish squadron went from Callao to blockade Valparaiso our ships were not there. Now, the fact was that that was no longer our head-quarters, and undoubtedly we had not ships always at that spot; but that circumstance was only an illustration of what he had mentioned the other evening—namely, that we were constantly pressed for additional ships. With regard to China, the hon. Gentleman seemed to think that we ought not to keep so large a force on that coast, but that the Chinese themselves ought to put down the pirates. Now, unless his memory failed him, he remembered having heard the hon. Gentleman loudly exclaim against the Government for assisting the Chinese in establishing a navy for themselves. [Mr. LIDDELL: An English navy.] One of the great arguments had been that if they had no efficient navy, we should be obliged to keep these large forces on the Chinese coast. With regard to the continued employment of Brown, Lennox, and Co. by the Admiralty—[Mr. SEELY: On the same terms ?]—he would give his hon. Friend more information at another time. He had now only to answer the question just put by his noble Friend (Lord Elcho). He had read with indignation the imputations to which his noble Friend had referred upon the sailors who had been employed on the coast of Jamaica. They were charged with conduct unworthy of any seamen in Her Majesty's fleet, and he could not but think that the story was a base falsehood. The Admiralty had received no information of the kind, but he would take care that full inquiry was made into the facts. If it should appear that such a thing had occurred, the perpetrators should be brought to condign punishment, but if this should turn out to be a false and wicked accusation, then he trusted that the authors of it would meet with public reprobation.

Vote *agreed to.*

(2.) £2,862,704, Wages.

(3.) £1,235,188, Victuals and Clothing.

(4.) £274,119, Salaries and Expenses, Coast Guard Service, &c.

Major WALKER wished to say a few words on one item of this Vote—the sum of £29,575 for the Royal Naval Coast Volunteers. When this force was first established it was intended to fill up a gap in the naval service, which was then at a low ebb. It was intended for the twofold purpose of providing sea-going ships for the protection of the coast, and for manning the sea-coast defences. Both these objects were now better met—the first by the Royal Naval Reserve, and the next by the Militia and Volunteer artillery.

Lord CLARENCE PAGET said, that the force of the Royal Naval Coast Volunteers was diminishing of itself without the interference of the Admiralty. They were men engaged in the coasting trade and boating, and their wives did not like the recent extensions of the area over which they might be called upon to serve. They were many of them fine men, and he, for one, remarked the diminution in their number with regret.

Mr. CORRY asked why the Admiralty had reduced the number of Marines on shore by 600 men?

Lord CLARENCE PAGET said, that the number of Marines was the same as last year, but the proportion of Marines at sea to those on shore was a matter of a somewhat technical nature, affecting the Marines as a sea-going corps. If they were kept too long on shore they lost their sea-legs.

Mr. CORRY wished to know the result of reducing the standard of height.

Lord CLARENCE PAGET said, he had not heard of any difficulty of getting Marines since the standard had been reduced. Some of the recruits had been three or four years without going to sea, and the alteration of the number of men on the reserve would give these young men an opportunity of seeing service.

Vote *agreed to.*

(5.) £63,958, Salaries, Scientific Departments.

(6.) £85,624, Victualling Yards and Transport Establishments.

(7.) £57,368, Medical Establishments.

(8.) £15,550, Marine Divisions.

Mr. HANBURY TRACY wished for some information regarding the Marine barracks at Deal.

Lord CLARENCE PAGET said, it was a recruiting barrack for the Marines. They were first taken down to that healthy place, and then they went to the Chatham division. Deal was, in fact, the nursery of recruits for the Chatham division, and the authorities were anxious to have a similar recruiting place in the West of England for the Portsmouth and Plymouth divisions.

Vote *agreed to.*

(9.) £75,664, Medicines, Medical Stores, &c.

(10.) £20,605, Martial Law and Law Charges.

(11.) £105,800, Divers Miscellaneous Services.

(12.) £528,904, Military Pensions and Allowances.

(13.) £213,837, Civil Pensions and Allowances.

(14.) £402,788, Freight of Ships.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

EXCHEQUER AND AUDIT DEPARTMENTS BILL—[Bill 3.]

(*The Chancellor of the Exchequer, Mr. Childers.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. THOMSON HANKEY said, that though this Bill was one of great importance no explanation had been given at its introduction; and though he understood the Bill was to be referred to the Committee which had been appointed respecting the Public Accounts, he thought its principle ought to be known to the House before it went into Committee. The Bill was practically an abolition of all control of that House over the issues by Votes of Supply. He was not going to object to its principle, but it was a very important one. The Committee on Public Money which sat several years ago discussed very fully the nature of the control exercised by the Comptroller of the Exchequer over the public issues of all money from the Exchequer. After a Vote by Parliament an application was necessary to be made to the Comptroller of the Exchequer, and his sanction was given if he ascertained that the Vote was in accordance with the Act of Parliament. This was the check which the present Bill would abolish. He perceived that the Chancellor of the Exchequer dissented from this statement. He admitted that the opinion of the Committee on Public Money appeared to have been that the check was of no very practical importance. Still it had had the sanction of Parliament from time to time, and the Comptroller of the Exchequer had been supposed to hold an office of great importance. This Bill was to unite the office of Comptroller with that of Auditor. Now, the duties of the Comptroller and those of the Auditor were two sorts of duties which had always appeared to him, and had, he thought, appeared to the Committee, to be very different the one from the other. The Chancellor of the Exchequer dissented from his statement that such was the opinion of the Committee; but the Committee never had recommended that they should be united and discharged by one officer. It might be wise to abolish the office of Comptroller and make the real check that of the Auditor. It was true that while there had been a control over the issues there had been none over the expenditure. No issue could be obtained without Parliamentary authority; but the moment the issue took place Parliamentary control ceased. The recommendation of the Committee was that the Audit Office should be made a more important one, and that it should be made so efficient that, early in the following year after the various Votes of Supply were passed, every Member of Parliament might have a document before him signed by the Auditor — the Auditor being appointed by the Crown— which would contain a complete account of the expenditure. The Committee attached less importance to the control of the issues which was exercised by the Comptroller. The control of the Comptroller of the Exchequer was to be exercised before the money was issued, and the object of the Audit was to see whether the money, after being issued, had been properly spent. It was not a very intelligible principle to vest these two functions in the same person. It would be better ostensibly to abolish the office of Comptroller of the Exchequer altogether. A Bill of that importance ought not to pass a second reading merely *pro formâ*, without discussion.

SIR STAFFORD NORTHCOTE said, he quite agreed with the hon. Member that it would be wrong and even indecent to read a Bill of such cardinal importance a second time without some discussion. It related to a matter which really lay at the root of the functions of the House of Commons—namely, the granting of money; and it appeared materially to alter the principles on which Parliament had proceeded. They were not, however, in a satisfactory position then to discuss the subject. The question was one with which comparatively few Members of the House were acquainted, and even those few could not speak authoritatively on the merits of the measure till they had had an opportunity of looking more closely at its clauses, and examining officers outside of the House as to the operation it might be expected to have. They might talk very easily as to the matter of principle, and say it was a question whether they would have two checks or one—whether they would have the principle of control, and the principle of audit, or whether they would trust mainly to the latter. But if they were to substitute the principle of audit for the principle of control, they must show that by their regulations they made the principle of audit thoroughly effective; and for that purpose it would be necessary to examine those Gentlemen who were practically concerned, as representing the Audit Office and other Departments of the State, as to the exact effect of some of these clauses. That was just one of those questions upon which they were bound in duty not to trust the Government, but rather, if he might say so, to distrust it. He did not intend to speak disrespectfully of Government, for he thought it was a very good and safe rule to trust Government on most questions on which the Government were probably well informed, and the House imperfectly informed; but when they were granting the public money they were bound to require, and to insist on, and to see that they got a security that the money granted by the House for the public service should be spent in the manner which the House intended it should be. As to the control of the Comptroller of the Exchequer, whatever it might have been formerly, it had of late been merely a nominal control; because, although it was necessary that the Treasury or other Departments which applied for the issue of money should apply for it in such form and for such purpose as the House had voted it, and the Comptroller would not otherwise allow it to go out of the Exchequer, he afterwards entirely lost sight of it, and it was in the power of the Treasury, for anything he could do to prevent it, to spend the money on any other service. Then the Comptroller became useless, and even mischievous, because he caused Parliament and the country to shut their eyes to a danger that was real, and prevented their turning their attention to what was a real security—namely, an efficient system of audit. True, they might have made the power of the Comptroller a real living power, capable of preventing the expenditure of any money except in the way directed by Parliament; but then they must have much hampered the action of the Executive, and kept up a number of separate balances in the hands of separate paymasters; which would have been the reverse of an economical proceeding. Most people would agree that it was desirable to keep the balance as low as possible, and to have one balance instead of a large number. Undoubtedly, the system of audit had not been as thoroughly elaborated as it might and ought to have been, and the great merit of the present measure was that it did at least attempt to make that system fully efficient. The proposal to send the Bill to a Select Committee was a very wise and proper one, because the Committee would be able to satisfy itself by the evidence of tho officers of the Audit and other Departments whether such proper provision had been made as to the mode of keeping accounts, the way in which the audit was to be conducted, and the thorough independence of the auditors, as would really accomplish the end in view. It ought to be clearly understood, when the Bill went before the Committee, that the Committee were to be free, and the House free also, to adopt or reject it as they thought best, after the examination to which it would be subjected. The Bill was to be referred, he believed, to the Committee on Public Accounts; but the House ought to understand what were the functions of that Committee, and that it was not a Committee to which every question of finance was to be referred. The Committee of Public Accounts was appointed as the organ of the House for a very special and rather uninteresting purpose, and the House ought to take care not to withdraw the attention of its members from their special duty, that of revising the audit of public accounts. There were two kinds of audit. First the administrative audit, conducted by the officers of the Audit Board under the directions of the Treasury, in order to see whether the money had been expended in accordance with the directions of the Treasury. The auditors examined into and reported to the Treasury upon the expenditure of money, and the Treasury took note of any irregularity that might have occurred in regard to that expenditure. Next, there was the Appropriation Audit, which was performed, not for the Treasury, but for that House. It was with reference to the latter that the Committee of Public Accounts was appointed, and it was their function to examine every year the audited accounts of the previous year's expenditure. He had had the honour of sitting upon the Committee since its appointment and during the six years of its existence; and he confessed that the members of it found it more agreeable and interesting to devote their attention to questions of general principle than to the dry work of looking into the details of the accounts. He hoped the House would be cautious how it supplied them with matter more attractive than their proper business. He thought that they ought to thank the Government for having framed so efficient a Bill, which would, in his opinion, effect a great improvement in the mode of auditing the accounts, and would establish a simple and more effective system.

The CHANCELLOR of the EXCHEQUER said, he agreed with almost everything that had been stated by his hon. Friend opposite (Sir Stafford Northcote). The Bill, no doubt, was a very useful one, and it was incumbent on the House to see it thoroughly carried out. When the House voted money it parted with it for certain uses, and it then passed under the control of the financial department of the Treasury, and was distributed among various organs of the State all over the world. The accounts were then made out and sent permanently to the Board of Audit ; but the last portion of the circle remained incomplete until the Committee of Public Accounts had done its duty. It was not till then that it could fairly be said that the office of the House, as the real authoritative steward of public monies, had been discharged. It was with no wish to press their opinion on the House that the Government had come to the conclusion that this Bill had better be referred to the Committee of Public Accounts ; and if the House thought it ought to be referred to another Committee, the Government would gladly give way. His hon. Friend (Mr. Thomson Hankey) objected to the two offices of the previous control and the final audit being conferred on the same person. No doubt, the functions were perfectly distinct in themselves, but they did not occupy the full time of a public officer, and no advantage could be gained by separating them. It was impossible to make the previous control of the accounts absolutely efficient. If all the money were paid in London, it might be done ; but the expenditure was distributed all over the world, and it was physically impossible to make the Exchequer control that which in theory it ought to be. He agreed with his hon. Friend that that which was intended for a good purpose would become a mischievous purpose if it went out to the world that the public had a security for the laying out of the money which really did not exist. The Government were not entirely spontaneous and independent agents in the introduction of this Bill ; but the Bill was of great importance, because it embodied a final decision that the theory of the law was to be made to conform to the established and recognized practice, instead of the practice being made to conform to the theory. For a long series of years that the practice under the law had not been in conformity with the law was a matter of perfect notoriety. If the Members of the Committee to whom the Bill was referred should come to the conclusion that it was not well suited for its objects, they would properly decline to consider themselves bound by the step which it was now proposed to take.

SIR GEORGE BOWYER said, he took great interest in the question, having really been the originator of the Public Monies' Committee. Reference to the Parliamentary proceedings of the period when the matter was before discussed would show that high authorities, such as Lord Grenville, Lord Lyndhurst, and Lord Monteagle, attached great importance to the powers exercised by the Comptroller of the Exchequer over the issue of public monies. Recent proceedings in Prussia also showed the constitutional importance of control over the issue. As he understood the question which arose in Prussia, it was that their House of Commons refused to vote the supply for the army. The Crown, however, on the plea that it felt bound to provide for that branch of the Administration, expended the money. If a control over the issues had existed, that course would not have been pursued by the Crown. And the fact that the Comptroller had no power over the items after they had left him did not detract from the constitutional importance of the office as a control over the issue of public money. The right hon. Gentleman the Chancellor of the Exchequer had said the Comptroller of the Exchequer had not enough to do, and that, therefore, as his time was not fully occupied, it was undesirable to keep up his office separately. He did not concur with that view of the matter. If a public officer's time were not fully occupied, that was no reason for jumbling his duties with those of some one else. They might as well have said if the Commander-in-Chief was not fully occupied, that he should also take office as Archbishop of Canterbury. He noticed that all through the Bill the functions of receipt and issue and the functions of the Audit were confounded together, when they were actually very different portions of the administration. In the whole system the great difficulty which had struck the Committee on Public Monies was this. There was a control over the issue, but when the money was issued there was no control at all ; so that between the issue and the audit the Treasury could do just as they please with the money. The control over the issue was a constitutional control ; and the control by the Audit an administrative control. But the Audit Department was by no means effectual. The accounts of the Secretary of State were not audited by it. The Board of Audit was subject to the Treasury, whereas it should, in his opinion, be superior to it in the matter of account, just as the Chamber of Accounts in France was. The French Chamber of Accounts had jurisdiction over all accountants; it had power to summon them to account and to produce vouchers and papers, and to examine them on oath, and to hear and determine all questions of account and to enforce its orders by fine and imprisonment. It was the Supreme Court of accounts. The Board of Audit in this country should have similar powers. The French Chamber of Accounts was most perfect in its machinery; and he believed the Board of Audit would never work effectually until it was endowed with a constitution somewhat similar, and was possessed of the powers he had described. The Board of Audit ought not to be at the mercy of the different Departments, but to have the power of acting judicially, and making orders upon the accountants to appear for examination, and produce such vouchers as might be deemed necessary for the rendering of the accounts. Till that should be done the House would not have a complete audit.

Mr. CHILDERS said, he did not think the hon. and learned Member could have read the Bill, which provided that accountants should transmit their accounts, together with the authorities and vouchers relating thereto, to the office of the Commissioners, in such form, and for such periods, and under such regulations as the Commissioners might prescribe. The Bill would extend the audit to all branches of the public service, and effectually prevent the intentions of Parliament being contravened.

Bill read a second time, and *committed* to the Committee of Public Accounts.

PUBLIC OFFICES (SITE) BILL.

Select Committee on Public Offices (Site) Bill *nominated*:—Mr. Cowper, Lord John Manners, Mr. Baillie Cochrane, Captain Grosvenor, and three Members to be nominated by the Committee of Selection: Power to send for persons, papers, and records; Three to be the quorum.

ENTAIL (SCOTLAND) BILL.

On Motion of Mr. Henry Baillie, Bill to amend the Law of Entail in Scotland, *ordered* to be brought in by Mr. Henry Baillie, Mr. Edward Craufurd, and Sir William Stirling-Maxwell.

Bill *presented*, and read the first time. [Bill 45.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, March 2, 1866.

MINUTES.]—*Took the Oath*—The Earl of Wicklow.

Public Bills—*First Reading*—Jamaica Government* (29); Cattle Diseases (Ireland)* (30); Savings Banks and Post Office Savings Banks* (31); National Debt Reduction* (32).

DEVONPORT ELECTION.

PERSONAL EXPLANATION.

The Duke of SOMERSET: My Lords, I wish to make a personal explanation respecting a statement which has been made in reference to the petition which has been presented against the return of Members at the late election for the borough of Devonport. It has been stated that, in consequence of a letter which was addressed to me, I ordered a telegram to be sent to the officers at the Devonport Dockyard ordering them to give to the Parliamentary agent every facility for the services of the Speaker's warrants upon such witnesses as were employed in the yard. Now, I wish to state clearly and distinctly what did occur. First of all, no letter was written to me at all, nor was any application made to me on the subject; consequently, I issued no order—and, indeed, I knew nothing whatever about the matter until I saw the notice on the Votes of a Question to be asked in the other House. From inquiries, however, which I have since instituted, I am able to state what actually did occur. An application was made in the usual form to the Secretary of the Admiralty, who referred it to the persons who superintended the business of the dockyards. They consulted the branch of the Admiralty which is connected with legal matters as to whether the Speaker's warrant would have any authority in the dockyards, and afterwards a telegram was sent to the authorities at Devonport, ordering them to give the necessary facilities for the service of the warrants. That proceeding was so much a matter of course that it was never mentioned to me at all, and no notice was taken of it at the Board the next day. As a Member of your Lordships' House, I have thought it only fair to myself to say that I have taken no part in any way in reference to this petition, and that I know nothing whatever of the matter.

The Earl of DERBY: My Lords, no one who is acquainted with the noble Duke would for a single moment have supposed that he lent himself to any unfair or improper proceeding; but, at the same time, as he has called your Lordships' attention to this subject—though I had no idea that it would be brought before your Lordships to-night, and know nothing of it except what took place elsewhere—I cannot but think that there has been in some quarter a gross dereliction of duty with regard to this affair. For, in the first place, the Speaker's warrants would run in the dockyards without any interference upon the part of any Member of the Government; and I do not, in the next place, understand for what purpose the Speaker's warrant was required. I believe Speaker's warrants are only necessary where persons have declined to obey the summons of the Select Committee appointed to try the election petition. Supposing these persons had been summoned and had disobeyed the summons, then there would be ground for applying for a Speaker's warrant. But this Committee is not expected to sit until after Easter. I want to know, therefore, what was the reason why, two months before the sitting of the Committee, and consequently before any summons could be issued by the Committee, the Speaker's warrant was sent down to order the attendance of persons, without the slightest knowledge of the evidence that they were about to give or the ground of their presence being required. I cannot help thinking—and the noble Duke will forgive me for saying so—I acquit him altogether—I cannot help thinking that there are circumstances that make this a most suspicious transaction. In the first place, one of the petitioners was Mr. Phinn, who has been one of the Secretaries to the Admiralty, and is now, I believe, an officer employed under the Admiralty. He is one of the petitioners; and on his application—his connection with the Admiralty being notorious—the unusual step is taken to send down a Speaker's warrant two months before the meeting of the Committee; and these persons, instead of being visited at their homes, are collected together in the presence of officers of Her Majesty's Navy, served with the warrant, and examined and cross-examined as to what evidence they were prepared to give two months hence. Now, a Speaker's warrant does not authorize any proceeding of the kind, but simply orders the persons served to attend when called upon to attend; and to have these individuals, who are in the employ of the dockyard, and who are under the control of the Admiralty, summoned before officers of the Admiralty, and examined and cross-examined in their presence, then and there to elicit in evidence that which is to be brought forward in support of a petition promoted by and in the interests of the Counsel to the Admiralty, does appear to me to implicate some Members of the Government connected with this dockyard in a course of proceeding that is utterly unjustifiable, and that demands the most serious consideration of Parliament. It is not merely sending down a Speaker's warrant, but it is sending down a purely fishing inquiry, to ascertain what evidence could be obtained on the part of the petitioners against the sitting Members; and this is done by the authority and direction, and with the sanction and in the presence of the officers connected with the Admiralty. I must repeat that it is a question which deserves the most serious investigation by Parliament; it is a tampering with the freedom of election not likely to be passed over; and though I entirely acquit the noble Duke of having had anything to do with it, I think that the matter ought not to be allowed to rest here, but that there should be a full inquiry how it was that these parties were subjected to an utterly illegal and unauthorized proceeding.

THE DUKE OF SOMERSET: I agree with the noble Earl that this is a subject which ought to be thoroughly inquired into; but I wish in justice to Mr. Phinn, to state that I have received a letter from him, in which he says—

> "I have nothing whatever to do with the Devonport election petition. It is the petition of the electors, and it is true that they claim the seat for me, but they have done so without my concurrence and against my advice."

THE EARL OF DERBY: I make no charge against Mr. Phinn, who did quite right in endeavouring to get as much as he could out of the officials. What I complain of is that it was perfectly well known that Mr. Phinn was a subordinate of the Government and Counsel to the Admiralty, and that it was in his interest that this investigation took place.

MARRIAGE LAW (IRELAND.)—PETITION.

MOTION FOR PAPERS.

THE MARQUESS OF WESTMEATH rose to present a Petition from Richard Talbot, of Ranagham, in the County of Westmeath, in Ireland, and to call the attention of the

House to the statements in that petition. The noble Marquess said, the subject referred not so much to matters of religion as to those of law and order, and he was anxious to hear what defence the Irish Government could make for itself in respect of the matter to which the petition referred. In the month of October last the daughter of the petitioner was allured to marry a Roman Catholic against her father's wishes, she being then under age, and Talbot being a Protestant and a respectable yeoman of the county of Westmeath. The petitioner, believing that his daughter was living in a state of concubinage, such a marriage being null and void by the 19 *Geo.* II. c. 19, made a deposition, which he sent to the Irish Government on the 2nd of December, requesting it to take the matter up. No answer having been returned to that application, on the 13th of January Talbot issued a summons against the priest who had performed the marriage, and who by that act had committed a felony within the meaning of the Act 7 & 8 *Vict.* c. 13. The priest came to the court attended by an immense crowd, who appeared to be amenable to his wishes. He got upon a car which was covered with laurels, and addressed the crowd, bidding them be peaceable, but at the same time reminding them of many circumstances calculated to exasperate them against the magistrate who had signed the summons. Having entered the court, the priest said there was no occasion to examine witnesses, inasmuch as he had done the act for which he was summoned, and would repeat it as often as he had an opportunity. The magistrate, having regard to the state of the country, and that the mob were thoroughly with the priest, believed it would not be safe to take information against a priest, and the case was not gone on with. The next day the priest was surrounded by a much larger assemblage at the neighbouring town and near the chapel. Addressing about 2,000 persons, he proceeded on the assumption that he had achieved a great victory, and inquired of the mob what they would do if he was summoned again before the magistrate. The mob replied that they would "mallet" the persons who should summon him, which, of course, meant "murder" them. The priest, however, suggested that this should not be done, but that Father Carey should be sent for. The people had been made to believe that a man had died in consequence of Father Carey having denounced him; and hence the suggestion of that rev. gentleman's name. In the speech the magistrate was denounced at great length, and it evidently appeared that the bench dared not proceed with the charge of the illegal marriage. The offence was the issuing the summons; and it was not difficult to understand that in Ireland the greatest offence any one could commit was to endeavour to make a priest amenable to law; but the Irish Government had been informed twice of the facts of this case, and why had it not interfered to vindicate the law? Daily occurrences in Ireland led too plainly to the inference that there was no justice to be had for the poorer classes of Protestants there. A favourable hearing was reserved for those who were instrumental in bringing Members into Parliament to support the Ministry. A poor Protestant might as well speak to the wall as appeal to the Government for remedy against injustice. He was not an ultra-Protestant—far from it; he was always willing to do justice to his Roman Catholic fellow-countrymen, but at the same time he claimed equal rights and equally just treatment for their Protestant neighbours. It was in this spirit that his Motion was couched, and he believed the Government would hardly venture to refuse to accede to it. Parliament has heard much, and probably will hear more, about the grievances of England; but I have to tell the Government that as long as Roman Catholic Priests are permitted directly or indirectly to interfere with the administration of justice there, there can be no peace. He concluded by moving an Address for—

"Report of the Officer of the Constabulary to the Inspector General of the Language held by the Roman Catholic Priest addressed to the tumultuous Meeting assembled and following him at Cotherstown on Tuesdays, the 14th, 21st, and 28th of January, 1866, and of all the Circumstances coming under his Observation at that time."

Lord DUFFERIN said, that if any miscarriage of justice had taken place, their Lordships must feel that it had occurred contrary to the wish and intention of Her Majesty's Government. The difficulty in the case arose, as he understood, from the fact that, when the prosecution was about to be instituted, no information whatever had been sworn. It was perfectly unusual to produce papers of the description asked for without previous communication with the Irish Government. He therefore trusted the noble Marquess would not press his Motion.

The Marquess of WESTMEATH: Do I understand the noble Lord to say that it is unusual to produce the reports of the police?

Lord DUFFERIN: What I said was that it was unusual to accede to a Parliamentary Motion such as that of the noble Marquess without first inquiring from the Government of Ireland whether there is any objection to our acceding to the request.

The Marquess of WESTMEATH: In that case I shall postpone my Motion to this day week.

Motion *postponed.*

THE LATE KING OF THE BELGIANS—THE TRUST ESTATE OF 1834.

The Earl of DERBY: My Lords, were any of my colleagues Members of the House of Commons I think I should probably intust to them the duty of bringing before that House, as being more directly concerned in financial matters, the statement with which I am about very shortly to trouble your Lordships. But, inasmuch as that is not the case, and my co-trustees have only been members of the trust for less than two years, while unfortunately I am the sole survivor among the original trustees appointed in the year 1834, your Lordships will not think it unnatural or unreasonable at the close of such a trust that I should desire to lay before the House a summary of the mode in which we have executed that trust, and disposed of the large sum of £1,500,000 which in that time has passed through our hands. I shall trouble your Lordships with as few figures as possible; but I will endeavour to show that we have acted from the beginning to the end in the spirit and in accordance with the terms of our trust. In the year 1816, as your Lordships are aware, a marriage was contracted between the late King of the Belgians, then his Serene Highness Prince Leopold of Saxe-Coburg, and the Princess Charlotte, heiress to the Throne of England, and thereupon an annuity for their joint lives of £60,000 was settled by Act of Parliament, with a provision that in the event of his Serene Highness surviving the Princess—an event which certainly could not have been regarded as likely to occur so shortly—he should be entitled to receive the diminished annuity of £50,000 a year. This annuity of £50,000, as the settlement shows, was to be paid immediately after the death of the Princess Charlotte, and continued during the natural life of his Serene Highness. The first payment was to be made on the first quarter day next occurring after the death of Her Royal Highness, and the subsequent payments on each of the four usual quarter days; the money was to come from the Consolidated Fund. My Lords, this annuity of £50,000 was to be received by his Royal Highness Prince Leopold of Saxe-Coburg, and he did receive it until he ascended the Throne of Belgium, when he voluntarily resigned the annuity, which he was entitled still to receive, and placed the whole in the hands of certain trustees, of whom I have the honour to be one, to the use of certain trusts, which being satisfied the residue was to be paid annually into the British Exchequer. Under these trusts we have received a total sum of £1,534,962; and I take the opportunity of saying that during the whole period, from the time of our accepting the trust down to the day of the late King's death, His Majesty has neither directly nor indirectly received a single shilling of that million and a half of money which he would have had a right to receive according to the law of England. I will now, with your Lordships' permission, state shortly what were the objects contemplated by the trust, the limitations of those several objects, and the manner in which they were executed. In the first place, we were to pay the rent and taxes of Marlborough House up to the year 1835, and the taxes levied on the premises at Claremont and Melbourne Lodge—a smaller house near Claremont—and keep them in such a state of repair that they should be always fit for habitation; but the whole of these expenses were not to exceed £6,000 a year in amount. There was also set forth a list of pensions and allowances—I will not trouble your Lordships with the names, but they were not to exceed £8,941 yearly—with the power of striking off any names that might be thought fit, though power was not given to add any. In addition to this a number of charities were to be paid, and among these were some charities bequeathed by the Princess Charlotte to the amount of £360 a year. The first trust was to provide £7,183 for the rent of Marlborough House; to allow to the agents such expenses for the general purposes of the trust as we deemed necessary, and thereafter to pay over to the Exchequer the balance remaining. But I must remark that when we took the houses at Claremont under our control they were certainly not in a very complete state of repair, and they required a very large expenditure from year to year to keep them in a habitable condition. I need not say that the long residence of the ex-Royal family of France increased the expense of housekeeping and those other expenses incidental to keeping the house constantly in a state fit for habitation. But, my Lords, I am happy to say that, notwithstanding we had these difficulties to contend with, we have succeeded in discharging the duties devolving upon us as managers of the Claremont Estate by the expenditure of a sum considerably within the sum of £6,000 a year. We have been receiving during a period of 31¼ years. The first quarter commenced in July, 1834, and the last ended with October, 1865. £6,000 a year during that period amounts to £187,500; but our actual expenditure has been only £181,610, and this sum was expended in the following manner. The ordinary expenses of the house, including the wages and keeping the property both in and out of doors in repair, came to £142,451, or an average of £4,556 a year; and that is a sum which I think your Lordships will not think disproportionate to the extent of the buildings and grounds. Then the ordinary repairs of Claremont Lodge, which, as I have said, were of necessity extensive, cost during the 31¼ years £36,258, or an average of £1,160 a year. The repairs of Melbourne Lodge cost £2,900, or an average of £82 a year. These totals make, as I have said, £181,610 or £7,000 less than the sum we were authorized to expend. But, my Lords, I must here mention another item of expenditure which does not strictly come under the head of repairs, but which we have described as extraordinary repairs. These were works of a permanent character, which we in reference to our own property would call landlord's repairs; for they were such as no tenant would be expected to incur, especially if he held under a tenancy depending upon the life of a man advanced in years. Still, these repairs were necessary for the comfort of the Royal inhabitants, and it was advisable they should be made in the interest of the reversioner—that is to say of the Crown. But the expenses to which I allude have not been very large. They consisted of the erection of a new range of stables, the carrying out of an extensive system of drainage, and various other permanent works of a similar character. None of these repairs were ordered without due consideration. Once a year, in the month of July, we met together, and received the auditor's report for the year which had passed, and the resident steward's estimate for the year to come. The latter recorded in detail every item of expenditure which he considered would be necessary. Sometimes we objected to and disallowed an item, and sometimes, when in doubt, the trustees would maturely consider the matter. Once, Mr. Edward Ellice went down to Claremont to examine into the circumstances of the case, in order to see whether the expenditure was absolutely required. When we were satisfied with the estimate we referred these repairs, both general and extraordinary, to the Treasury; and having obtained the sanction of the Treasury, we directed that the repairs should be executed under the authority of the Board of Works —the extraordinary repairs by the Crown, and the ordinary repairs by the Trust; but the expense of the whole, amounting to £20,917, were paid out of the funds in the hands of the trustees. The next sum of which I have to speak is that representing the pensions and allowances, over which we could exercise no control, because they were fixed, and determinable only by death. They have amounted to £190,462; but if none of them had fallen in they would have amounted to £269,418, or £8,941 a year, but the falling in of lives made the actual sum £190,462. We can, however, claim no credit for this reduction. Then, the charities, including the £336 paid under the will of Princess Charlotte, and including also several small contributions to local charities, which seemed to fall upon the trustees as landowners, amount to £11,296. Then come the expenses incurred under the Trust. The auditor's and resident steward's salaries amount to £550 a year, or a total of £17,127; and the other expenses of the Trust, including the cost of one or two journeys to Belgium, amount to £1,984 in the 31¼ years. I think your Lordships will agree with me that we have not been very extravagant on this head. The total, then, of these sums brings up the expenditure to £430,852; and after paying all charges on the Trust we have a balance of £4,880 in hand, for which we are accountable to the Treasury, to whom we have already paid £1,099,500. That sum, I repeat, has been received by the country clear, and over and above all the necessary expenses. I think a slight mistake has been made in the notice of Motion placed on the paper in my name. It is stated that I gave notice of my intention to lay upon your Lordships' table a statement in regard to this matter; but I have no such power. I thought, however, it would be satisfactory to your Lordships to be made acquainted with the manner in which we had conducted our affairs, the liabilities we had discharged, and the balance which we have paid into the Exchequer. I will come now to the position in which the trustees were placed by the death of the King of the Belgians, which took place on the 10th of December, exactly when two months of the current quarter had expired. From the moment of the late King's death I apprehend that our legal powers as trustees expired, and that all which we were entitled by law to do was to wind up the accounts. But it was clearly necessary that the establishment should not be suddenly broken up, and that provision should be made for the more pressing exigencies,—such as, for instance, supplying the household with mourning. And, therefore, immediately after the King's death we wrote to the Treasury requesting their sanction to our ordering those immediate expenses, and that it would furnish us with directions for the future management of the estate. We also requested very earnestly that at the earliest possible period we might be relieved from the obligation of discharging duties which we were discharging from that moment without any legal sanction. We also asked whether Her Majesty's Government intended to pay over to the trustees of the late King the fractional part of a quarter which had already expired, of the £12,500, which was the amount of the quarterly payment; and further, whether we were authorized to pay over to the pensioners out of the funds in our hands the fractional part to which we conceived they were entitled up to the King's death. We received an answer—and it is with reference to that I call attention to the wording of the Act. The answer was, that inasmuch as the Act did not provide for the payment of any fractional part of a quarter the Treasury would pay to us no part of the expenses of that quarter. Fortunately we had, by arrangements previously made with the Treasury, a certain balance in our hands. We have received another letter since the 10th of October, stating that we were not authorized to pay any of the fractional portion of the pensions to those who had hitherto received pensions. As far as we were concerned as trustees that was a matter of absolute unimportance, for the result would be that having received £8,000 additional, we should have had £8,000 more to account for when the accounts were closed. But let me call attention to the case of the pensioners. I do not for a moment say that it was not the duty of the pensioners —of the higher class of pensioners—in common prudence, to have insured his Majesty's life, so that they might not suddenly find their means cut off by his death. But it was not to be expected that those who were receiving £20, £30, or £40 a year would have the prudence to insure, or, in fact, could have insured his life for any amount. And I am sure we must feel the hardship which the sudden stoppage of these pensions must have inflicted upon this class, to whom the sudden stoppage of even two months' pension would be a great disaster. Great hardship has fallen upon these persons, and one poor old woman, who more than fifty years ago was the servant of the Princess Charlotte, and had nothing but the pension to depend upon, has been driven by this sudden stoppage to the union workhouse. I am happy to say that since I gave notice to bring this subject before the House—in fact, this very day—we have received from the Treasury an official notification that, upon reconsideration, with reference to the pensions—

> "My Lords will not object to their being paid out of the balances in the hands of the trustees on the 10th of December, the period of the King's death, if the trustees consider such a course desirable, and on the assumption that the balance will be sufficient for the purpose."

Certainly I received with great satisfaction that intimation, and, as far as I am concerned as a trustee, I cannot desire anything further. But your Lordships, recollecting that many of these are persons in humble life—that not one of them has been less than thirty-one years upon the list of pensions and allowances—will, perhaps, think it is a case—though, of course, they have no legal claim—which might fairly command the favourable consideration of the Treasury, if they can by any means give relief to these persons from the consequences of the sudden stoppage of their pensions. But the expression used in this answer was that the money was available out of the balances at our disposal. In the same letter we received for the first time the intimation, for which we had been earnestly pressing for nearly the last three months, that on the 5th of April next we would be relieved from the duties which we are now performing. At that time, I believe, subject to any deductions on account of those pensions, the balance in our hands will be between £1,200 and £1,400. But what I wish to call your Lordships' attention to is the anomalous and irregular position in which the trustees are placed by defraying, under the authority of the Treasury, the expenses of Claremont, and the maintenance of the other objects of the trust, for a period long subsequent to that at which our legal powers expired. I must, however, confess that I do not believe Parliament will deal hardly with us on that account. On the 10th December, the day of the King's death, it was our duty in strict law to pay over to the Treasury the funds then in our hands ; and I must confess that it is rather irregular that for three months we should go on, upon the mere direction of the Treasury, defraying expenses out of the balance that ought to be paid into the Exchequer. It is not the mere question of the balance we had in hand, but it is a qustion whether we had any right to pay away any portion of that balance. We of course felt it to be our duty to obey the instructions we had received from the Treasury ; and I am well aware that there may be matters to be settled which require for some time a provisional state of things. What may be the future disposal of the estate of Claremont, or what may hereafter take place, it is not for me to say, nor can I form any opinion on the subject ; but it is understood—though I have no authority for saying anything of the kind—that it is Her Majesty's desire that Queen Marie Amelie should continue to reside at Claremont : and I am quite sure there is no one in your Lordships' House, and I believe there would be few in this country, who, looking to the dignified patience and fortitude with which that illustrious and venerable lady has borne her many sorrows and misfortunes—and looking, moreover, to the universal sympathy she has excited in all classes of the people, and the affectionate reverence with which she is regarded by all who have the happiness to be brought in contact with her—there is hardly a man in this country who would wish that at her advanced age she should be constrained or even permitted to quit that residence which for many years—for so many years —has been her only home. I know not what arrangements may be in contemplation ; but I could not refrain from expressing my hope that so long as it pleases Her Majesty to make Claremont her residence she may be permitted to do so ; and I am sure that would be met with the hearty concurrence and thorough goodwill of the people of this country, from whatever funds it might be necessary to provide means. I must now thank your Lordships for the kindness with which you have listened to my statement. I have endeavoured to make it as short and as clear as I could, and I trust it will be found that no discredit attaches either to those who preceded in the trust, or to myself and my present co-trustees, for the manner in which we have discharged the duties committed to us.

EARL RUSSELL: My Lords, I am sure your Lordships will agree with me in thinking that the statement which has just been made by the noble Earl has proved that the trust could not have been placed in better hands, and I am sure that your Lordships must feel perfectly satisfied at the manner in which its duties have been fulfilled, and at the large sum which has been paid into the Exchequer in conformity with the wish of the late King of the Belgians. It is only, however, with reference to the latter portion of the remarks of the noble Earl, bearing upon the course which the Treasury has adopted in this matter, that I have anything to say. The Treasury thought that the balance in the hands of the trustees at the time of King Leopold's death, amounting, I believe, to some £5,600 and odd pounds, might be applied to keeping up Claremont, defraying the pensions up to the time of the late King's death, and to discharging the necessary expenses up to the 5th of April next, the day when the Department of Woods will take charge of the estate, and when, according to the present arrangements, the noble Earl and his co-trustees will be relieved from any further trouble. I do trust that the noble Earl, and those who act with him, will have the satisfaction of knowing that they have discharged their trust in a manner that has been entirely satisfactory to the country. With regard to the state of things at the time of the late King's death, Her Majesty immediately wrote to the ex-Queen of the French, Queen Marie Amelie, expressing her wish that Queen Marie would not leave Claremont ; and it is obvious that at her advanced age such a course would be attended with danger, not only to her health, but possibly to her life.

Queen Marie Amelie, on her side, wrote to Her Majesty, returning thanks for the kindness which she had always received at Her Majesty's hands, and expressing her willingness to resign her residence at any moment. It is, however, the desire of Her Majesty and Her Majesty's Ministers —and I am sure such a determination will meet with the approval of the noble Earl— that Queen Marie Amelie should reside at Claremont as long as she pleases. Queen Marie Amelie decided to stay at Claremont, but at the same time expressed the strongest resolution that the nation should not be put to the expense attendant upon her continued residence there. If, therefore, Parliament should approve of Claremont being granted to Her Majesty, Her Majesty will request Queen Marie Amelie to continue at Claremont as her guest. I am only expressing the feelings of your Lordships when I say it would be painful to Her Majesty and to all her subjects if the ex-Queen of the French was not to remain in that residence. I had the honour to be in acquaintance with Queen Marie Amelie when she was the Duchess of Orleans, when she was Queen of the French, and latterly when she was in exile, and I must say that her virtues and her character are such as to inspire regard and veneration in all who knew her. The future arrangements will be brought before the House of Commons at the proper time.

The Earl of MALMESBURY: I only rise to say that I think I am speaking the feelings of both sides of the House, when I express a hope that the noble Earl opposite will recollect the case of those pensioners to whom my noble Friend has alluded.

Earl RUSSELL: Yes; I should have stated that the Treasury consider that there will be £1,500 on the 5th April which will be applicable to those pensions.

The Earl of DERBY: The question which I understand my noble Friend wished to put, and which I suggested to the consideration of the noble Earl, was whether these cases would be entertained with a view to the continuance of some of the small pensions.

Earl RUSSELL: I had that in view when I stated that the whole subject would be taken into consideration at the proper time.

House adjourned at a quarter past
Six o'clock, till Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 2, 1866.

MINUTES.]—Supply—*considered in Committee* —Committee [R.P.]

Resolutions—[March 1]—*reported.*

Ways and Means—*Resolution* [March 1] *reported.*

Public Bills—*Ordered*—Marine Mutiny*; Consolidated Fund (£1,137,772)*; County Courts; Exchequer Bills and Bonds.

First Reading—Exchequer Bills and Bonds [46]; Marine Mutiny*; County Courts [47]; Consolidated Fund (£1,137,772).*

Committee—Princess Helena's Annuity* [42]; Qualification for Offices Abolition* [1].

Report—Princess Helena's Annuity* [42]; Qualification for Offices Abolition* [1].

COURT OF ADMIRALTY (IRELAND).

QUESTION.

Mr. MAGUIRE said, he would beg to ask Mr. Attorney General for Ireland, Whether he considers the present state of the law, practice, and procedure of the Irish Court of Admiralty satisfactory; whether there is any special reason why a measure of reform should not be based upon the Report and Recommendations of the Royal Commission of 1864; and whether it is the intention of the Government to allow another Session to elapse before such measure be practically undertaken, or to introduce it this year in sufficient time to afford a fair chance of its being passed during the present Session?

The ATTORNEY GENERAL for IRELAND (Mr. Lawson), in reply, said, he considered that the practice and procedure in the Court of Admiralty in Ireland required reform, and he was preparing a Bill for that purpose.

FISHERY PIERS (IRELAND).

QUESTION.

Sir HENRY BARRON said, he wished to ask the Under Secretary to the Treasury, If he proposes to replenish the exhausted fund provided for making Fishery Piers?

Mr. CHILDERS, in reply, said, his answer to the Question of the hon. Baronet was this. By the Act 9 & 10 *Vict.* c. 3, and also by the Act 10 & 11 *Vict.*, two sums of £40,000 and £50,000 were allocated for the building of fishery piers in Ireland. These sums were now nearly exhausted, and it had been the intention of the Treasury to propose an additional sum for this purpose, had not a question arisen under the Fisheries Commission, that the 59 *Geo.* III. was still in force, under which £5,000 per annum was to be expended on these piers. The question had been submitted to the Law Officers of the Crown, and as soon as their opinion had been obtained the Treasury would consider what should be done. If the Law Officers of the Crown agreed with the Treasury that the Act was not in force, it would then be the duty of the Treasury to propose a Bill authorizing a further limited grant for these fishery piers.

Mr. ROEBUCK: Will the hon. Gentleman inform the House whether any piers have been built out of the money so voted by Parliament?

Mr. CHILDERS: I think hardly any money remains out of the £40,000 and £50,000. It is nearly all expended.

Mr. ROEBUCK: Have any piers been built?

Mr. CHILDERS: Yes, I believe so.

EAST COAST OF AFRICA.—QUESTION.

Mr. BAXTER said, he rose to ask the Under Secretary of State for Foreign Affairs, If any representations have been made to the Government of Portugal regarding the connivance of Portuguese Officials on the East Coast of Africa with the slave trade, and likewise regarding the claim of Portugal to many hundred miles of that coast, where that power has no settlement or military force?

Mr. LAYARD said, in reply, that the correspondence which had taken place between Her Majesty's Government and the Portuguese Government on the subject of the slave trade on the east coast of Africa had been laid on the table of the House in various State Papers, and he should shortly be able to present to the House a continuance of the correspondence on the same subject. Her Majesty's Government had not recently made any representations to the Portuguese Government relative to the conduct of their officials on that coast, there being no evidence to inculpate them. In former days he was afraid they were largely engaged in the slave trade, and at that time strong remonstrances were made by the English Government to the Portuguese Government. It was perfectly true that nothing could exceed the horrors of that trade on the eastern coast of Africa, and it would seem that as it was extinguished on the west coast it increased on the east coast of Africa. At the same time he believed that the Governor of Mozambique had done his best to put a stop to this nefarious trade, so far as he was concerned. Her Majesty's Government had represented to the Portuguese Government that so long as they maintained their present restrictions on the legitimate trade on the east coast of Africa so long would the people of that district have no other recourse but the slave trade. He hoped the Portuguese authorities would, however, see reason to reduce them. As to the extension of the Portuguese dominions on the east coast of Africa, Her Majesty's Government did not consider it appertained to them to make any remonstrance relative to the claim of Portugal to a large extent of territory on that coast.

METEOROLOGICAL OBSERVATIONS.

QUESTION.

Colonel SYKES said, he wished to ask the President of the Board of Trade, If any and what arrangements are making for taking systematic and permanent Meteorological Observations either at the Board of Trade or at the Greenwich and Kew Observatories, for British objects; and whether Foreign Governments will be invited to co-operate, by causing simultaneous Meteorological Observations to be made with a view to arriving at a knowledge of the physical laws which cause atmospheric changes?

Mr. MILNER GIBSON: Sir, after the death of Admiral Fitzroy it was thought desirable to refer the question of the future arrangements for the conduct of the business of the Meteorological Department to a Committee of Inquiry, the members of which should be named by the Admiralty, the Board of Trade, and the Royal Society. This has been done, and the Committee are on the point of making their Report. Until this Report has been received and considered it is not possible to give a satisfactory reply to the Question of my hon. and gallant Friend.

REGENT'S PARK.—QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the First Commissioner of Works, Whether the earth embankment (about 200 feet long and twelve feet in width) as well as buildings in the Regent's Park, outside the grounds of St. Dunstan's Villa, are included in the Lease from the Crown of that Villa and grounds; and whether the buildings and shrubberies in the Regent's Park outside the grounds of Holford House are included in the lease from the Crown of that Villa and grounds; or whether such embankments and buildings are erected upon ground appropriated at the time the Park was thrown open to the public as open spaces; and whether such embankments and buildings have been erected with the consent of the First Commissioner of Works, and are intended as permanent erections?

MR. COWPER said, in reply, that the earth embankment alluded to by the hon. Member had been erected on that portion of Regent's Park which was let on yearly tenure. The person who erected the mound did not, previous to his erecting it, make any communication to the Board of Works. On being asked his reason for erecting the mound he stated that his object was to conceal certain green-houses and manure heaps from the public view. The Board of Works did not think it necessary to remove the mound altogether, but they required the person who had erected it to lower it considerably.

EDUCATION—THE REVISED CODE, 1866. QUESTION.

MR. POWELL said, he would beg to ask the Vice President of the Committee of Council on Education, Whether Government intend to afford any information to Managers of Schools as to the nature of the accounts which, under Article 51 D of Revised Code, 1866, will be taken as "kept with sufficient accuracy to warrant confidence in the Returns," and to secure Managers from entire withholding of Grant on the ground of insufficient accuracy in such accounts?

MR. H. A. BRUCE, in reply, said, the article in the Revised Code originally stood thus—

> "The grant is withheld altogether if the registers be not kept with sufficient accuracy to warrant confidence in the Returns."

The word "accounts" was now added, and the article reads thus—

> "The grant is withheld altogether if the registers and accounts be not kept with sufficient accuracy to warrant confidence in the Returns."

The addition of this word introduced no change in practice. By Article 52 C the grant was reduced by the amount of school fees and subscriptions, or by the amount of the annual endowment. It was obvious, therefore, that the amount of the grant depended on the accuracy of the accounts rendered; and that where they were grossly inaccurate, and more especially if they were dishonest, it was competent to the Committee of Council to withhold the grant altogether. The present article stated clearly and substantively what was before a matter of inference only. The forms of account were published in the Instructions to the Inspectors, and were to be found in the Report of 1863, and these forms had been widely distributed amongst managers of schools throughout the country. He might state that at no time had accounts been objected to that were intelligible, and that only when they were grossly inaccurate and wholly untrustworthy had the penalties been enforced.

MR. POWELL: Will the right hon. Gentleman lay the forms on the table of the House?

MR. H. A. BRUCE: They can be if the hon. Gentleman wishes it, but they have been already widely distributed.

THE CATTLE PLAGUE.—QUESTION.

MR. BANKS STANHOPE said, he wished to ask a Question with reference to the Cattle Plague. He desired to know, If in future sufficient time will be given for the Returns to be sent in, so that they might get them with something like accuracy?

MR. H. A. BRUCE said, in reply, that as the object of the Returns was to give accurate information of the progress of the disease, it would be far better to delay them even for a week than to present them in their present incomplete form. He would endeavour to secure greater accuracy and completeness.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RATING OF MINES AND WOODS. QUESTION.

MR. STEPHEN CAVE said, he rose to ask the President of the Poor Law Board, Whether he intends to bring in a Bill during the present Session for the rating of Mines and Woods for the relief of the poor? He would preface the Question by a few remarks. He supported the Union Chargeability Bill of the President of the Poor Law Board last Session, because he thought it was right in principle; but, at the same time, he expressed an opinion that there were many anomalies left untouched which required supplemental legislation. The noble Lord the Member for North Leicestershire (Lord John Manners) predicted that he would be grievously disappointed in his expectations, and he must say that he began to fear the noble Lord was right, as no sign had been given of such intention by Her Majesty's Government. One of the greatest of these anomalies was the exemption of all mines, except coal mines, from being assessed to the relief of the poor, and he might remind hon. Members that this exemption led indirectly to an escape from some other rates as well. He was so much impressed with the necessity of correcting this anomaly at a time when the enlargement of the area of rating intensified the grievance, that he gave notice of a clause to that effect, which he withdrew, in consequence of the Speaker having decided that it was beyond the scope of the Bill. He would now briefly explain to the House the exact state of the case. The House knew that the foundation of rating for the relief of the poor was the Act 43 *Elizabeth*, c. 2, which enacted that certain real property and coal mines should be so rated. Whether the exemption was intentional for the purpose of encouraging the working of other minerals, or whether accidental from no others being at that time worked to any extent, seemed doubtful. The latter appeared to have been the general opinion from other mines having been rated in the first instance, till it was decided in the case of the "Lead Smelting Company *v.* Richardson," the leading case on this subject, that coal mines alone were rateable. Perhaps legal caprice never went further than in the subsequent decisions on this Question. Cunningham's case decided the exemption of iron mines, Bilston's on that of the machinery attached to them, but if iron ore were dug from open quarries, as in the newly-discovered seams in Northamptonshire, it was rateable. Again, stone quarries were rateable, but if the stone were obtained by sinking a shaft, and brought from the bowels of the earth by means of windlasses and other machinery, Sedgley's case decided that this was no longer a quarry, but a mine, and not rateable, because not a coal mine. Among many letters he had received on this subject from various parts of the country was one from the owner of a brickfield, who thought it very hard that he should be heavily rated for his brick earth and clay while so many minerals were exempt; but the law was more unjust than he imagined, because Brettel's case decided that if his neighbour brought up his clay through a shaft, he would be exempt, though clay dug from the open land was liable. Again, a royalty paid in kind—that is, in raw ore, such as was the custom in regard to the lead mines in Derbyshire—or even reserved in kind, though paid in money, was liable to rates; but royalty in money, or even royalty in smelted ore, was exempt. These were some of the anomalies of the existing law. In the Session of 1854-5 two Bills were brought in by the hon. Member for East Cornwall (Mr. Kendall) for remedying the defect, and again another in 1856; but these Bills never went beyond a first reading, and in 1856 a Committee was appointed to investigate the whole subject, which sat all that Session and reported the following year. The case of the metals was fully examined, and had the advantage of able advocates both on the Committee itself and among the witnesses; but the Committee reported on the 5th of August, 1857, that "there were no valid grounds for these distinctions;" and, indeed, it was plain that the plea of risk, which was freely used, though no mine would be rated till it produced profits, applied equally to coal mines; that that of the exhaustion of the corpus of the estate was common also to stone and slate quarries and clay pits; and that it was monstrous that rateability should depend rather upon an agreement between lessor and lessee than upon any general rule. And when it was argued that mines raised the rateable value of the property in the neighbourhood in proportion to the poor introduced, the right hon. Gentleman, as Member for Wolverhampton, must be well aware of the fallacy of such a plea. A letter from a clergyman in South Wales stated—

> "A population of 17,000 have been congregated for the purpose of working mines where forty years ago it did not number as many hundreds. Immense fortunes have been made, but the employers of labour have never been adequately rated, while the farmers have had their rates enormously increased without deriving any corresponding advantage. I am heavily rated, while I derive no pecuniary benefit from the population, which is a great burden to me."

He (Mr. Cave) was himself acquainted with districts in which small patches of hæmatite ore existed. These were let to speculators, who ran up a line of hovels, drawing all their supplies from the nearest town, because these small seams were rarely worked unless close to a railway. The usual effects of accidents, strikes, and stagnation were felt in the increased rates of the adjoining rural districts, which this operation injured rather than benefited, and to the rates of which it did not contribute a single farthing. Now, he believed the right hon. Gentleman would say that legislation was not wanted to set this wrong right; that it was not Parliament, but the Judges who had been in fault; that the decisions were founded in error, and had all been practically reversed by the famous judgment of the House of Lords in the Mersey Docks case in June last. With great deference, however, he begged to submit that the principle of that case was entirely distinct. The words of the Act of Elizabeth were "rate occupiers of lands, houses, tithes, coal mines, underwoods." Now, the question argued and decided in the Mersey Docks case was, not whether "lands" was a term wide enough to include all real property, but what was the meaning of "occupiers;" whether trustees who derived no personal benefit, but held lands for public purposes, were liable; whether, in short, "ability to pay," in the words of the Act, was co-extensive with the modern phrase "beneficial occupation." The question he wished to raise was, not whether a mine worked for the public benefit was liable, which would be a parallel case with that of the Mersey Docks, but whether mines other than coal mines were liable. And it could hardly be said that the word "lands" included minerals under them, as it included water above them, because it would in that case equally include coal mines, and yet coal mines were specially named in the Act. These were the reasons which induced him to believe that fresh legislation was necessary. When the principle was established there seemed no reason to expect difficulty in carrying it into effect. The words of the Parochial Assessment Act were that—

> "No rate shall be in force which shall not be made upon an estimate of the rent at which hereditaments might reasonably be expected to let at from year to year."

Attwood's case decided that the correct mode of rating coal mines was to rate the occupier at such a sum as the mine would let for to a tenant. Mr. Hedley, a valuer in Sunderland, whose letter to the Poor Law Board he thought might, if printed, give some useful information on these matters, showed that certain deductions would be necessary from this, and such were now usually made. He concluded his letter by saying—

> "I have visited the iron mines of Cleveland, the hæmatite mines of Lancashire, the lead mines of Cumberland, and the metalliferous ore mines of Cornwall, and I have no hesitation in stating that the principles now so successfully applied to coal mines could be adapted to every other description of mine."

This, however, was a question of practice, and not a question for the Legislature, and therefore the Bill of the hon. Member for Cornwall properly imitated the simple brevity of the statute of Elizabeth. In conclusion, he begged to state that he included "woods," a much more difficult subject, in his Question, solely in order to enable his hon. Friend the Member for Devonshire, who had made that subject his study, to put his Question, in speaking on his own, as a matter of convenience, in order that the President of the Poor Law Board might answer both at once. The hon. Member concluded by asking the Question which stood in his name, Whether the President of the Poor Law Board intended to bring in a Bill this Session for the rating of mines and woods to the relief of the poor; and whether he had any objection to lay on the table a communication from Mr. Hedley to the Poor Law Board on rating mines?

MR. KEKEWICH said, that the Question of which he had given notice was so closely connected with that of his hon. Friend that he would put it now. It is, Whether the President of the Poor Law Board proposes during the present Session to bring in a Bill for the purpose of rating Woods to the relief of the Poor; and any general measure for the amendment of the Poor Law founded on the Report of the Select Committee presented during the last Session. He quite agreed with his hon. Friend (Mr. Cave) that the question of rating mines was one of no difficulty. The question of rating woods, however, was one of very considerable difficulty. The point turned upon the construction of the Act of 43 *Elizabeth*, in which it was set forth that saleable woods should be rated for the relief of the poor, thereby excluding all other woods. The Judges had given their opinion that timber woods ought to be exempted from rating, being in their opinion expressly excluded on account of the national importance of encouraging the growth of timber. He was anxious to have some definite answer on this point for the guidance of Union Assessment Committees. It might be hard that a tenant-life having no beneficial occupation should be rated at the agricultural value of the land ; but, at the same time, it was equally hard that there should be a large parish chiefly consisting of woodland, and that that woodland should not be rated to the relief of the poor. As to the second portion of his Question, the introduction of a Bill to carry out the recommendations of the Committee, he might remark that they included several important propositions. One was the education of children. The right hon. Gentleman opposite (Mr. Villiers) had sat for several years on a Committee on the Poor Law, which last year laid before the House a very elaborate and well-drawn Report ; and the result of that Report was a Bill which the right hon. Gentleman brought in very late in the last Session. No doubt the right hon. Gentleman had been much occupied with other matters, especially the Lancashire distress and the relief of the casual poor. Owing to the late period at which the measure was introduced, although its provisions were discussed and there seemed to be no objection to it, yet it had to be withdrawn, and a mere continuance Bill was passed for one year. He (Mr. Kekewich) might observe, with regard to this last subject, that no measure, in his opinion, would prove successful until the whole of the metropolis was made into one union—a thing which he hoped he should some day see done. If the right hon. Gentleman intended to bring in a measure for the amendment of the Poor Law, he would therefore beg of him to do so early in the Session, so that it might be well considered by the country and end all legislation on the subject. The hon. Gentleman concluded by putting his Question.

Mr. KENDALL said, that before the President of the Poor Law Board replied he wished to say that the Committee of which he had been Chairman took a vast mass of evidence in relation to the rating of mines, and the interests involved were found to be so large that he had thought it quite impossible for any private Member to bring in and carry through Parliament a Bill dealing effectively with that subject. He had not changed his opinion on this matter. He hoped that mines would be rated ; but having had considerable experience of Cornish mines, he could state that there never perhaps was a more unhappy time than now for the introduction of a Bill to rate them. He did not think there were five dividend-paying mines in Cornwall. Copper and tin were never so low. The result would, therefore, be that any attempt to place a new burden on mining property would be certain to be strongly resisted.

Mr. C. P. VILLIERS said, he was glad that the hon. Member for Cornwall (Mr. Kendall) had interposed between him and the Questions which two hon. Members had put to him. It was assumed that he had been dilatory in bringing in a measure which might be carried with the greatest ease, and that there was no difficulty whatever about the matter ; but the few remarks made by the hon. Member for Cornwall indicated that that view was not quite correct. The hon. Gentleman (Mr. Kendall) had supplied the best answer to any such idea. He had himself been the Chairman of a Committee on the subject, and he had let twelve years pass without taking any action upon it. He (Mr. Villiers) agreed with all that had been said by the hon. Gentlemen who had questioned him ; and if they could only bring the House to their views, he should be very glad. He had not understood from the notice given him by the hon. Member for Shoreham (Mr. Cave) of his intended Question that he meant then to enter into that subject as he had done, but he did not complain of the hon. Member's having entered into it. That hon. Gentleman stated that he (Mr. Villiers) had said that he would defer to the judgment recently given by the House of Lords in the case of the Mersey Docks, and that the necessity of passing a Bill through Parliament to alter the law was less urgent than it had been. Now, he had not stated that that judgment was given upon the same matter as that now before the House. What he had stated was, that for the first time the conflicting decisions of the Courts below in an analogous matter were taken before the Supreme Court of Appeal, were there reviewed, and a judgment finally given ; and that the strict analogy between those questions would lead one to suppose that the Judges would take that breadth of view in the one case that had been taken by the highest Court of Appeal in the other, and would determine the point in a more satisfactory manner than could be done in a struggle to get a measure of that kind passed through that House. The question before the House of Lords was, whether the proper construction had been put upon a clause in an Act of

Elizabeth, and whether an occupation need be beneficial in order to be rated? A point which had been in dispute perhaps for sixty or seventy years, was for the first time brought before the House of Lords, which, with the assistance of the Judges, came to the unanimous decision that the Courts below had been wrong, and thus finally settled the matter. The present case was an exactly similar one, except that the exemptions there were rested on grounds of a more fanciful and technical nature than in the other case. The hon. Gentleman said that, because other mines were not mentioned in the clause of the Act, and coal mines were so mentioned, therefore the rule of *expressio unius est exclusio alterious* applied there. He would not, himself, call that rather a puerile technical objection, but it was one that the House of Lords would hardly maintain, when it was shown that the other mines now in question were not developed when the statute was framed. The other day those mines were all rated, and therefore it was not an exclusion from the clause that prevented their being rated. In the judgment pronounced by the House of Lords, surprise was expressed that nearly three centuries after the passing of the statute persons should be found disputing as to the meaning of that clause. The hon. Member for South Devon (Mr. Kekewich) seemed to think that the rating of mines was a very easy matter, and one that could be disposed of by legislation or by the Supreme Court of Appeal, but that the rating of woods was a very serious question. He could not quite agree with that. The exemption of woods was, in his view, more worthless than that of mines, and had not been uniformly acted upon in this country. Assessment committees had been formed only within these two years, but already, as he understood, in the county of Norfolk, arrangements had been made for rating woods, and the same thing had been done in some other counties. It had been a question whether woods were exempt at all, and the late Lord Campbell, while at the Bar, had given it as his opinion that they were not. Having been consulted on that point in 1826, by the authorities of the parish of Oswestry, Lord Campbell said—

> "I would advise the parish of Oswestry to rate the lands, planted as above described, to the relief of the poor. I do not think that the new plantations can be considered saleable underwood, but I apprehend that a man cannot exempt lands subject to poor's rates from poor's rates by converting them into woodlands. At the passing of 43 *Elizabeth*, c. 2, these were 'lands' and liable to be rated, and the use to which they are subsequently converted may affect the quantum of the rate, but not the rateability. I think they ought to be rated in the same proportion with the adjoining lands of equal quality which are not planted."

There could be no reason why that land should not be valued according to its use or productions. That was the principle adopted in Scotland, and there was no exception in Ireland, and he did not see why land should not be valued according to the employment of the surface, be it more or less valuable. He could not suppose for one instant that if the case of such land should come before the Court of Appeal the judgment of the inferior Court would not be reversed. He was of opinion that it would not be judicious to bring a Bill into the House on the subject, for private interest would be employed to prevent its passing. The case of the Mersey Docks was of so gross a character that it was determined to introduce a Bill to sweep away the anomaly; but, as it was apparent that sufficient influence would be brought against it to prevent its passing, the parties interested determined to make an experiment, and bring the case before the House of Lords. The appeal was successful; and upon that ground he was disposed to recommend the hon. Member for Shoreham to pursue a similar course rather than make an attempt at legislation, which would undoubtedly be unsuccessful. He had been asked to produce a letter addressed to the Poor Law Board by Mr. Hedley on the subject of rating mines, and he had no objection to so doing if it should be the pleasure of the House. It was right, however, that he should call the attention of the House to the consequences the production of such a letter would lead to. It came from a gentleman in no authoritative position, and who had not been invited to send it; it was in reality a private communication. The document was doubtless interesting, and it might lead to controversy. Were he to produce it, however, another gentleman might write a letter to the Poor Law Board, and move that it, with the answer of that Board, should also be laid upon the table. Such letters might be written both by private gentlemen and Members of the House of Commons with the view of having their ideas published at the expense of the Government. The hon. Member for South

Devon had asked him questions relative to the matters inquired into by the Select Committee, which prosecuted its labours for a considerable time, but certainly not during a period of five years. The hon. Member was a little in error in saying that the only fruit of that inquiry was a measure relative to the houseless poor. The hon. Member, who took a very serviceable interest in the Union Chargeability Bill of the last Session, must have known that that measure was recommended by the Report of that Committee. As soon as he was able, he introduced another measure, containing several Amendments of the law. Those Amendments, however, were not palatable to many Members of the House just before the General Election, particularly those clauses to which the hon. Member had said he did not think the House had any objection, which were to enable the Roman Catholic clergy to visit the Roman Catholic poor in the workhouses. The result was that the Bill was rejected. If the Bill had passed, it would have effected many useful Amendments; but in consequence of what his hon. Friend had said he would not despair, but introduce the Bill again with as few defects as possible.

Mr. HENDERSON said, that a great anomaly existed in our system of local taxation. There was no doubt that the non-rating of iron, copper, stone, and other minerals had been the source of great complaint and litigation. It would be a great satisfaction to the country if the matter could be clearly settled by law; for now the proceedings in the courts were filling many with disgust and ruining others. He thought the right hon. Gentleman the President of the Poor Law Board ought to have assumed the responsibility which doubtless attached to his Department, instead of throwing it upon the Law Courts of the country, and to have brought in a measure dealing with the anomalies complained of, which would probably have been carried. The fact that ironstone, lead, copper, and other minerals were exempt from assessment for the poor was not a little startling, for they were sources of wealth so easily realized. Coal, which cost so much more in bringing to the market, had all along been contributing to the rates. Recent discoveries of various mineral ores in Cumberland and other parts of the north of England, had enormously increased the value of estates there, some having risen in value as much as 20, 40, and 50 per cent. He might specially mention that, by the discovery of almost inexhaustible beds of ironstone in Cleveland, some of the estates, in fact, had become even more precious and more important than the far-famed goldfields of California, and yet they were not contributing to the relief of the poor. It did seem strange to him that the right hon. Gentleman, who had been aware of these facts for so many years, should have been so unwilling to proceed with any fresh legislation on the matter. Whilst advocating that the whole mineral wealth of the country should bear its proper share of taxation, it ought to be borne in mind that neither coal, lead, copper, nor any other mineral was re-producible; this should be considered in any measure upon the subject, and a certain percentage deducted from the annual rateable value. A further circumstance which should not be lost sight of was, that a quarter of a million of money was sometimes expended in opening out our coal mines. Many hon. Members were aware of the inconvenience caused in their respective localities by the conflicting decisions of the Poor Law Board, especially those affecting public companies. A novel mode of taxation had been started in the district to which he belonged, for there the local authorities proposed to tax machinery, which was no more liable to be assessed for poor rates than a chair or a table. All these things showed a pressing necessity for a revision of the existing system. He therefore hoped the right hon. Gentleman, assisted by the Law Officers of the Crown, would prepare a Bill to remove the anomalies which were so great a source of annoyance and litigation. He could not imagine that there would be any difficulty in carrying such a properly framed Bill through Parliament. It was difficult to conceive that any greater good could be conferred on owners of property than the right hon. Gentleman had now in his power to bestow by introducing such a Bill.

Mr. PERCY WYNDHAM said, he wished to point out that under the present system of rating in various parts of England the best and most lucrative property was the only property which did not pay its quota to the highway rates. With regard to iron, coal, and lead mines, there were special reasons, beyond merely abstract rules, why they should be rated for the relief of the poor. Owing to the nature of the work in those mines large numbers of the men were incapacitated for labour from accidents and similar causes, and they consequently became dependent on the rates. Further, much of the metal taken from the mines in West Cumberland passed along the roads in carts to Whitehaven, cutting them up to a great extent, and yet those minerals were exempt from contributing to the highway rates. With respect to plantations, in some instances it was better to set them out than to grow anything else upon the land. It was nothing more than a change of crop, and the farmer adopted that course because he thought it would pay him best, and he was thereby exempted from all charge. Attention had been called to the subject by the alteration in the incidence of rating under the Union Assessment Act of last Session, which he had supported, although he could not now shut his eyes to the fact that it caused considerable inequalities in some places. In the neighbourhood in which he resided, for instance, there was a charge of £2,000 in favour of the towns as against the agricultural districts. The farmers as a body did not complain of the Act, believing it to be founded on a right principle; but what they did complain of was that, while their land was assessed to the full value, the rich mines did not pay one farthing. He trusted the right hon. Gentleman would re-consider the answer which he had given, and that we should before long have a Bill on the subject.

Mr. LOCKE said, he had on several occasions pointed out that the Union Chargeability Act, so far from conferring any benefit on the close parishes in the metropolis, tended to do them serious injury, because of the change made with regard to the irremovability of persons becoming chargeable after a residence of one year instead of three, as the law at present stood. Large numbers of people were driven out of certain localities in the metropolis on account of the alterations made for the purposes of railways and other improvements, and were necessarily obliged to go to the poorer districts, where burdens in the shape of rates came so heavily upon them that they frequently fell into distress, and themselves became chargeable on the parish. Now, the Poor Relief Committee came to the conclusion—

> "That, although much of the inequality which has been shown to exist as between parish and parish within the same union will now be obviated by the operation of the Irremovable Poor Act of 1861, and that inequality will be further lessened by the adjustment of the parochial rates under the provisions of the Union Assessment Act of 1862, your Committee are unable to regard that result as furnishing any reason against equalizing the charge of maintaining all classes of the poor over the several parishes of the whole union. On the contrary, it appears to them to have removed one of the greatest obstacles to the adoption of such a measure."

That measure has now been passed. The Committee goes on to say—

> "It is proper, however, that your Committee should point out that the advantages which have been conferred upon the country generally by the two Acts just referred to have not been participated in by many largely and densely-populated single parishes in the metropolis not in union, which, so far from being benefited by the Irremovable Poor Acts, are now oppressed by additional poor, who but for those Acts would have been removable; and they have to add that, whatever importance may be attached to the impression entertained by some that in the rural districts the settled poor are better cared for than the others, this argument is certainly not applicable to the metropolis, inasmuch as persons are there employed without any consideration to their becoming chargeable; and, in the case of labouring men, their place of abode is very frequently in some other parish than that in which they are employed; and, with respect to the alleged injustice to a person who has acquired property in a low-rated parish being called upon to contribute to a neighbouring one more heavily burdened, it has been urged that there is an equal injustice committed, especially in the poorer parishes of the metropolis, where persons who have taken property find from circumstances beyond their control their rates and expenses rapidly increasing; the circumstances referred to being the destruction of whole districts by street improvements, railways, and other large works, whereby the working poor are deprived of their dwellings and necessarily driven to find them in places already impoverished."

Now, that put the state of the case very clearly, and he sincerely hoped the right hon. Gentleman the President of the Poor Law Board would not, when he brought in a general Bill, forget the position of the metropolis. On the subject of the equalization of poor rates within the limits of the metropolis, he should also like to read a Resolution at which the Committee had arrived. It was as follows:—

> "That much evidence was adduced showing the unequal pressure of the charge for the relief of the poor in different parts of the metropolitan district, and various plans were submitted to your Committee for the equalization of the poor rate, and your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the metropolis are so peculiar that in any legislation to extend the area of charge or management it would be necessary to have regard to those circumstances; that any measure for the extending of the area of rating should, in the opinion of

the Committee, embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union."

If a general measure were brought in it should not, he thought, be received with favour by the House if the metropolis with its 3,000,000 inhabitants were excluded from its beneficial operation.

Mr. CAVE said, that when he had first placed his notice on the paper, he did not know who Mr. Hedley was; but he imagined that his communication to the Poor Law Board was official or *quasi*-official. If there were the slightest objection to the production of the document in question he should not, under the circumstances, press for it.

Mr. SAMUELSON said, that if the right hon. Gentleman (Mr. C. P. Villiers) experienced a difficulty in dealing with the question in that House considerably more difficulty was felt in bringing it judicially before the House of Lords. If the right hon. Gentleman concurred in opinion with those who advocated the rating of mines, it was not sufficient for him, as President of the Poor Law Board, to excuse himself on the ground of the difficulty of passing a Bill through the House.

INTERNATIONAL MARITIME LAW.

ADDRESS MOVED.

Mr. GREGORY said, that before he gave notice of his intention to bring forward this subject he had ascertained that the hon. Member for Liverpool (Mr. Horsfall), who in 1863 laid so clearly before the House the position in which we were placed by the Declaration of Paris in 1856, did not purpose calling attention to the subject. This being a new Parliament the subject was one which he thought ought to be discussed as early as possible. It had been said, in harsh and unjust comments upon himself, that he was the last person to bring forward such a Motion, as having been one of those who "justified and extolled the construction in England of cruisers for the purpose of destroying American property by sea." It so happened that although he had frequently addressed the House on American affairs, and although he was repeatedly asked to take part in the debates respecting the *Alabama*, the Birkenhead rams, and the *Alexandra*, he had invariably refused to do so. He did not in the least deny—why should he?—that he sympathized with the South; but, while he did so, he could never bring himself to vindicate a mode of warfare which was barbarous as regarded individuals, which increases the exasperation of the combatants, which transferred part of their exasperation to ourselves, and which was perfectly useless as to the great issue to be determined. He did not blame the gallant people who availed themselves of it, but he blamed the state of International Law which sanctioned it. In 1862 the hon. Member for Liverpool moved the following Resolution:—

> "That the present state of International Maritime Law as affecting the rights of belligerents and neutrals is ill-defined and unsatisfactory, and calls for the early attention of Her Majesty's Government."

This Motion was opposed by Sir George Lewis, who said first that he had a great objection to abstract Resolutions, next that the state of International Law was certain and well defined, and that as Mr. Horsfall aimed distinctly at one object and one only in his speech—namely, the exemption of private property from capture by sea, he should have stated publicly his object, indeed, Sir George went so far as to sketch a Resolution which he thought would meet the case better. The Resolution now submitted was almost in the words of the late right hon. Baronet, and it was as follows:—

> "That an humble Address be presented to Her Majesty, praying that she will be graciously pleased to use her influence with foreign Powers for the purpose of making the principle that private property should be free from capture by sea a maxim of International Maritime Law."

He would say nothing as to the expediency or inexpediency of blockades. The simple object he had in view was to submit that on the acceptance of the Declaration of Paris of 1856, that the neutral flag covers a belligerent's goods, it must follow as a natural consequence that all private property at sea must be exempt from capture. Some seemed to think that this idea was benevolent but Utopian, well-intentioned but weak and silly; but it was one of the most matter-of-fact proposals which could be made, and though some countries might entertain a difference of opinion about it, yet we, of all others, instead of resisting it and exhorting others to do the same, ought to accept it with joy and thankfulness if we had the good fortune to get it accepted elsewhere. This proposal had been supported unanimously by a Committee of the House of Commons on merchant shipping; one of the Members of which was the President of the Board of Trade (Mr. Milner Gibson). It had also been supported by memorials from the Chambers of Commerce of some of our greatest commercial communities; and on the preceding day the opinion of the General Shipowners' Society was communicated to him in a letter by the Chairman, who, referring to a Resolution passed in 1862, said—

> "At a special meeting of committee held here this day the question was again fully discussed, and I have been requested to transmit for your information copy of a report on the subject which was submitted to Her Majesty's Government by a deputation which waited upon the President of the Board of Trade in the beginning of the year 1860, and I may also at the same time acquaint you that the experience of the last six years has confirmed the Committee in the opinion therein expressed—namely, that it is essential to the interests of British shipping that private property at sea should be exempt from capture."

Among additional authorities, he might cite some of the most powerful leading articles which appeared in the leading journal (*The Times*) in 1856, although it afterwards changed its opinion. He might also appeal to an authority as little likely to give way to mere sentimentality as any man — Lord Palmerston—whose opinion, expressed at a meeting held at Liverpool in 1856, was as follows:—

> "He hoped that the principles of war which were applied to hostilities by land might be extended, without exception, to hostilities by sea, and that private property should no longer be exposed to aggression on either side. If we looked at the example of former periods, we should not find that any powerful country was ever vanquished by the losses of individuals. It was the conflicts of armies by land, or fleets by sea, that decided the great contests of nations, and it was, perhaps, to be desired that these conflicts should be confined to bodies acting under the orders and directions of the respective States."

The noble Lord, he knew, changed his opinion; but his judgment in 1856 might be claimed as at least equal to his judgment in 1862. The debate of 1862 showed that the question was not a Conservative question, nor a Radical question, nor a Whig question, but it was a national one. The list of speakers presented an array of some of the most eminent men on both sides of the House—Mr. Horsfall, Mr. Liddell, Mr. Thomas Baring, and Mr. Cave on the Conservative Benches; and Mr. Cobden, Mr. Bright, Mr. Lindsay, Mr. Leveson Gower, Lord Harry Vane, Mr. Baxter, and Mr. Massey on the Liberal Benches, Mr. Cobden being the seconder of the Motion of the hon. Member for Liverpool. The debate turned upon the wisdom, or rather the want of wisdom, which consented to the Declaration of Paris, that the neutral flag covers belligerent goods. Before that time we as belligerents seized an enemy's goods under any flag and in any bottom, and our maritime predominance enabled us to shut up or to sweep an enemy's merchantmen off the seas, as we did in the wars with France and with America. In our case, there was no doubt great mercantile losses, but in the case of the enemy's commerce it was absolute destruction. In former days we dealt with neutrals with a high hand by reason of our great maritime preponderance. We not only laid claim to our right of taking the enemy's property wherever we found it, but we put that claim in force. But those days had gone by. There were now othes nations as powerful as ourselves by no means inclined to submit to these pretensions. Therefore, he would not blame Lord Clarendon for having affixed his hand to a declaration which, if resisted, might have been thrust upon us hereafter by the threat of war, or resisted at the price of war. He would go further and say that if we arrived at the conclusion which he submitted to the House to-night, the world would refer to the Declaration of 1856 as having laid the foundation of one of the most blessed and humanizing laws which had ever been adopted by the consent of mankind. Now, his first object was to show that it was totally impossible for us to remain in our present position. We must either retrograde or advance. Supposing for a moment that war broke out between England and France, what was the first thing that would happen? The premiums of insurance and the freights of our merchantmen would rise to an intolerable height, and our carrying trade would be transferred to the vessels of other nations. No doubt, the Queen's ships would endeavour to blockade the coasts of France. But every one knew that the great progress that had been made in steam ships and iron-clad vessels would render the blockade of a powerful maritime nation far more easily spoken of than carried out. But even if the ports of France were hermetically sealed, would that ruin French commerce? It was said if you blockaded the port of Marseilles you deprived France of her trade in the Mediterranean, and if you blockaded the mouths of the Garonne you prevented the wines of Bordeaux from leaving the country. But that was not so. Even if but one vessel should find its way into Marseilles, the Mediterranean trade would not be lost to France, instead of going through Marseilles it would go through Greece. The Mediterranean trade would find its way round by Italy, and French wines would go forth to the world by the Scheldt and the Rhine. What better illustration could there be than what occurred during the Russian War? We blockaded the whole of the Russian ports, and what was the result? In 1854 Prussia sent us only 20,000 tons of tallow, but in 1856 she sent 1,500,000. She became carriers to Russia, as Italy and Belgium would be to France, and the consequence was, not that the Russian producer lost, but that the British consumer paid for it. He would now allude to the difference between English and French commerce, and the position in which war would place them. He would take his figures from the Board of Trade Returns for 1864. In that year 66 per cent of British commerce was carried under the British flag; of French commerce under the French flag only 43 per cent. The total tonnage in and out of Great Britain in 1864 was 27,204,000 tons, while that of France was only 7,889,000. Our aggregate registered tonnage was over 7,000,000; that of French ships about 900,000. Now, it should be remembered that we were carriers not only for ourselves, but for the whole world, and it was to that enormous business we owed much of our prosperity. The consequence would be in the case supposed that, while the French commerce, which was comparatively small, might be carried in neutral vessels, it would be totally impossible to provide for the enormous amount of British traffic, a great portion of which must go to sea at risk of capture. But it might be said that by using our maritime strength we could protect our merchantmen by convoys. No doubt that was done, although very imperfectly, in former days; but now that our commerce had increased to such an enormous extent, and that even among our colonies were some whose commerce was dispersed over every region of the globe, how was it possible to supply convoys to our ships at all those different points. As an illustration was better than a thousand arguments, he would read an extract from a letter written by Mr. Adams to Earl Russell in 1865. Mr. Adams says—

> "The United States commerce is rapidly vanishing from the face of the earth, and that of Great Britain multiplying in the same ratio. In three years before the war there was sold to British subjects 123 vessels, representing 47,675 tons; during the war 715, representing 480,682. That was a fact suggestive of what might be expected to occur in our case under similar circumstances. American merchant vessels had been sold in large numbers to the shipowners of this country—and all this was caused by the operations of a few cruisers which preyed upon American commerce."

Bear in mind that whereas we should have to contend with swarms of armed ships, all this panic and transfer of traffic was effected by two or three West cruisers, in the face of one of the most powerful maritime nations in the world. But this was not all. Our shipowners would transfer their vessels to foreign owners, and, worst of all, our sailors would follow the ships, for they would be attracted by the enormous wages which would be given them, and that strength upon which we relied in time of war would fail us. Nor was that all. When peace was again proclaimed we should find ourselves in this position, that the great carrying trade which we once possessed would be firmly fixed and established in those countries where, during the war, it had so flourished. He would just read a short extract from the *London Review* of 1862, which summed up the whole of the argument clearly. The writer said—

> "The present state of the law relating to maritime capture will ensure to Great Britain in the first great war she undertakes the temporary and perhaps permanent loss of nearly all her carrying trade, the transfer of numbers of her ships and seamen to foreign countries, and mischief to her commerce on the ocean immeasurably out of proportion to any she will be able to inflict upon her foes."

And now a word as to the position of our colonies. In the former great war our colonies were few and their trade comparatively unimportant. But now they had sprung up to be great commercial communities, and though he was firmly convinced they were loyally attached to the Government of this country, yet a state of things might arise involving their ruin by the destruction of their commerce, which might make them anxious not to be so closely connected with us as they were. He had heard Australians say over and over again, "We are attached to England, but we look with dread on your being involved in a foreign war on account of Schleswig-Holstein, or any other matter, in which we take no interest, and which we do not understand." Now, we were bound to show our colonies that though we might not be successful in our endeavours to protect their commerce, at all events we had made the effort, and that the blame of failure did not rest upon us. If there was danger of political suicide, it must surely consist, not in endeavouring to carry out this principle, but in our tamely acquiescing in a state of things so full of peril. He would now deal for a few minutes with some of the arguments used against the proposal which he was about to make. And, first, it was said that if the advocates of this proposal were pushed sufficiently far the whole thing would resolve itself into pleasant concord, adapted to a state of society composed entirely of angels or of Quakers. A writer in *The Times* who took this view, said, that if this was adopted, blockades must be given up ; and that if private property were sacred in ships, it would also be sacred in ports ; and, in short, that we had arrived at the millennium, and that the age of war was over. This ingenious reasoner, however, should have remembered, that if the millennium was to be arrived at in this way it had been reached already by the relief of belligerent goods from capture at sea by the Treaty of Paris in 1856. But as regarded giving up blockade, he was equally wrong, for the proposal would place blockade in no different circumstances than it was now placed in. If a neutral vessel attempted to enter a blockaded port she was captured, and she would be captured still. He proposed nothing to alter the law of blockade ; his proposal would certainly be an advantage to England, whose ships, instead of accompanying her merchant vessels all over the world, could then be employed solely in sealing up the enemy's ports. The next argument he would notice was that of Earl Russell, who said—

> "It is obvious that one reason why foreign nations are unwilling to go to war with England is the certainty that their commerce would be crippled and their ships would be sure to fall into the hands of our cruisers ; but, on the contrary, if they were sure their merchant ships would be allowed to pass in safety one great reason for peace would be taken away."

And again—

> "A stipulation not to allow our naval force to be used against commercial vessels would be a great provocation to war, and the power of Great Britain would be greatly lessened."

This argument was applicable against the Paris Declaration of 1856, but not against the present proposition. It was true that nations would be unwilling to go to war if they were sure their commercial wealth would be seized ; but by the Declaration of 1856, it could not be seized if in neutral vessels, and he contended that not a ton of it would be seized under the present system. That argument, therefore, was nugatory ; and as to his proposition being "a great stimulus to war and a great blow to humanity," which were the words of Earl Russell, he contended that it would be just the reverse. It must be clear to every hon. Member that no European power would go to war with England on the mere chance of invading this country and taking possession of it. The great inducement to such a war would be the hope of crippling our commerce and taking captive our merchantmen ; and, therefore, as it would be impossible for us to protect our merchantmen or manage all our traffic by the use of neutral bottoms, the "great stimulus to war and the great blow to humanity" would be to leave things as they were and reject the proposal he was making. He had used the expression "European power" advisedly, because he was sure that if the United States wished to go to war with us, they would not be deterred from doing so by reason of danger to a few coasting vessels kept up along their shores while all their richer freights were sailing safely over the world under neutral flags. The next argument he would notice was one used by the late Sir George Cornewall Lewis, who asked if we intended to draw a distinction between private property on land and private property at sea, and went on to argue that the capture of private property by land was recognized. Now, he believed the reverse to be the case. The principle always adopted in war is to spare property as far as it can possibly be spared. Plundering by land goes against the feeling of mankind. In some cases of military warfare it is necessary to use and even to destroy it, but in maritime warfare that can never be the case. He would not go back to Vattel or Grotius, but he believed that the opinion of all modern jurists was to the effect that, as far as possible, private property by land was exempt from capture. It was stated by Mr. Wheaton—

> "Private property by land is exempt from confiscation with the exception of such as may become booty in special cases, when taken from enemies in the field, or in besieged towns, and of military contributions. That was a case of necessity which could never happen at sea."

During the Russian War Odessa was spared from bombardment, but the industrious inhabitants of Finland were plundered, and exasperated by the plunder. Did that discourage Russia from carrying on the war? Quite the reverse ; and the only effect of the transaction was to make the name of

England detested among people who before were favourably disposed towards this country. It would be recollected what indignation prevailed in that House in reference to the blocking up of the port of Charleston by sinking vessels filled with stone in the Channel; but was not that act similar to the course of proceeding which was now justified by those who opposed his proposition? They argued in favour of the right of destroying the enemy's property in detail, and, therefore, it might be presumed that they were in favour of destroying it in gross also. If so, the argument justified the destruction of the enemy's property at its source, which was the commercial harbour in which the property could be received, and, therefore, it was the magnitude of the evil, and not the principle, which created so much sensation on that occasion. He recollected that when General Sherman, in his great march through the Southern States, laid waste the country, some persons justified his conduct on the ground of the necessity of intimidating the enemy. He did not perceive the necessity himself; but if there was a necessity on land, the reverse was the case at sea, and he would venture to say that the ravages of the Confederate vessels had not the slightest effect in intimidating the Northern States, or checking the progress of the war. The only difference in truth was that stated by the right hon. Baronet Sir Stafford Northcote, who said, that one reason why plunder by sea excited less indignation than plunder by land was, that the one was more out of sight than the other. He now came to the argument of the Attorney General, who in the year 1862 had laid it down that if there was one principle more true than another with regard to this question, it was that the Government was in war identified with the people; that if we made war with the Government we made war with the people, or, as he very properly put it, we could not have a commercial peace and a political war. He drew an amusing picture of the men-of-war of France and England, busily engaged in destroying each other while the merchants of both countries were running uninterruptedly between Dover and Calais, doing a roaring trade, and finding that state of things so agreeable that they would have no inducement to put a pressure on their respective Governments to put an end to the war. Now, he (Mr. Gregory) felt perfectly certain, if in a state of war between England and France the social communications of commercial intercourse were continued, and if there was a fair opportunity on both sides for discussing the questions at issue, there would be a better chance of putting an end to a war so wicked and so insane than would be afforded by all the iron-clad frigates in the world and the protocols of all the diplomatists. The last argument to which he would allude was that of the late Sir George Lewis, who said—

> "Anything of this kind must be settled by treaty, but war abrogates all treaties; consequently, even supposing such a thing as a treaty between France and England on this subject, the moment war broke out France and England would consider all these engagements as null and void."

That statement was cheered by an hon. Gentleman, but, perhaps, he was not aware that it was the opinion of jurists that treaties specially made for the purpose of determining cases in war were not abrogated by war. Dr. Phillimore, Mr. Wheaton, and Chancellor Kent, all held that if a treaty contained any stipulation which contemplated a state of future war, and made provision for such an exigency, such stipulations preserved their force and obligation when the rupture took place. An hon. Gentleman asked how we were to enforce such a treaty? We had no means of doing so. All we could do was to trust to the honour of nations and abide by their honourable declarations. He was perfectly convinced in the case of France, if war broke out to-morrow, she would abide by such a declaration, if such a declaration had been made. But suppose we arrived at the conclusion that what he proposed was advisable, what chance was there of other nations adopting it? Would not other nations be suspicious of our overtures, and think they were called on to surrender some advantage for the profit of England? No doubt they would. The same argument was employed at the time of the repeal of the Corn Laws. It was said we were throwing away all the chances of reciprocity, and foreign nations would never imitate our example. But what was the fact? Free trade was enacted, though doubtless many foreign nations were still suspicious. He need only allude to the celebrated dinner recently given to the American Envoy at Russia, and the speeches that were made on that occasion. But France, Italy, and even Austria were now advancing on the path of free trade; and he was perfectly certain if we stated our readiness to accept such a proposal other Governments would in time come in and make it. He would take the case of America. This idea of exempting private property from capture by sea was not an idea of our own. It was essentially an American idea. Mr. Massey, in his speech of 1862, pointed out that so far back as 1785 it was actually embodied in a treaty with Prussia. Mr. Cobden, in an address to the Manchester Chamber of Commerce, showed this to be the idea, and not only the idea, but the actual proposal of Benjamin Franklin in 1782. He said—

> "It is probably not generally known that the very proposal which the American Government have submitted within the last five years was made by them in the first treaty with England after the Declaration of Independence, eighty years ago. It had its origin with that great man, Dr. Franklin, who carried into his diplomacy, as into his philosophy, a high and genial principle of philantrophy. In the *Autobiographical Memoirs of Thomas Jefferson* I find the following passage :—'During the negotiations for peace with the British Commissioner, David Hartley (at the close of the War of Independence), our Commissioners proposed, on the suggestion of Dr. Franklin, to insert an article exempting from capture by the public or private armed ships of either belligerent all merchant vessels and their cargoes employed merely in carrying on the commerce between nations. It was refused by England, and unwisely in my opinion. For in the case of a war with us their superior commerce places infinitely more at hazard on the ocean than ours, and as hawks abound in proportion to game, so our privateers would swarm in proportion to the wealth exposed to their prize, while theirs would be few for want of subjects of capture."

In 1856 he was quite aware the United States were invited to join in the Declaration of Paris. These were the words of Mr. Marcy in reply to the proposal—

> "He agreed readily to meet the European Powers on the ground of exempting private property from capture by sea."

But we hesitated, we returned no reply, and the opportunity was lost. He was given to understand, although he had no authority for the statement, not that the identical proposal was renewed when the war broke out between the Confederates and the North, but that the question was mooted and talked over, whether the English Government would be disposed to enter into conditions with the United States by which privateering on their part would be abandoned, but the engagements of England were such that she could not do so without a violation of neutrality between the contending parties. Certainly the American Government offered to relinquish privateering. He was not prepared to say that America at this moment would accede to such a proposal. America was now smarting under the exasperation caused by the ravages of the Confederate cruisers, and was, perhaps, biding her time to make us suffer for it; but he trusted most sincerely that America before long would see that our Government did their best under circumstances of great difficulty to preserve an honest neutrality throughout the war. He had met with a passage the other day on this subject in the letter of Mr. Adams to Lord Russell, which he would venture to read to the House. He confessed he dreaded the prognostications of Mr. Adams as to the consequences likely to ensue hereafter, consequences fraught alike with danger to the United States as to ourselves, and for which nothing save the prudent proposal would be an effectual remedy. Mr. Adams said, if nothing is done—

> "A new era in the relation of neutrals to belligerents on the high seas will open. Neutral ports in that event, will before long become the true centres from which the most effective and dangerous enterprizes against the commerce of belligerents may be contrived, fitted out, and executed. The existing restrictions upon the exploits of daring adventurers will rapidly become obsolete, and no new ones will be adopted. Ships, men, and money will always be had for the service of any Power sufficiently strong to hold forth a probability of repayment in any form, or adroit enough to secure a share of the popular sympathy in its undertakings. New *Floridas*, *Alabamas*, and *Shenandoahs*, will appear on every sea."—[*North American Papers*, 1866 (No. 1) p. 38.]

Mr. Cobden, who would not have said anything without strong reasons for doing so, stated that the Emperor of Russia was in favour of the same principle. He knew nothing himself of the policy of the French Government, but the hon. Member for Birmingham (Mr. Bright) had stated that the Emperor of the French was also in favour of the adoption of the principle. He might also mention a fact of which, he supposed, few Members in the House were aware—namely, that one of the warmest advocates of the principle was Napoleon the First. Hon. Members were, no doubt, surprised at such an opinion being held by the first Napoleon, but the following were his words on the subject:—

> "In operations of war, carried on by land, the property, even territorial, which foreign subjects possess is not subject to confiscation. The laws which regulate the conduct of a belligerent by land are therefore more in conformity with civilization and the welfare of private individuals, and

it is much to be desired that a time may come when the same liberal ideas should be extended to maritime war, and when the naval forces of the two belligerent Powers should be able to engage in hostilities without giving rise to the confiscation of their mercantile marine."

He (Mr. Gregory) was bound to confess that he did not place much reliance in those philanthropic views of the first Napoleon; and he was afraid that they did not much accord with the opinions expressed by the Emperor in his letters to his brother Joseph in Spain. But he read that extract to bring this matter home to the minds of all—to show that the day may come when the proudest and the strongest and the most self-confident of us all may wish to appeal to the laws of humanity, instead of to the laws of force. He might mention, as an illustration of this truth, a fact which would be in the recollection of all. At the Congress of Paris, the only Power whose representatives refused to sign the declaration against the employment of privateers was Spain, while the representatives of Chili and Peru both acquiesced in the declaration. At the present moment, what was the position of Spain? She was crying out with a loud tone and a lamentable voice that Chili and Peru were sending forth privateers to sweep her commerce from the seas. He had now said everything he intended to say. He had endeavoured to point out as well as he could some of the advantages of his proposition, which would result not only to ourselves but to every nation upon earth, and to remove some of the objections that might be made to it. He thought it right that in a new Parliament a matter of such grave importance should be discussed. It was a matter of great importance that Parliament should decide whether the country was blindly to allow the present laws regulating these matters to remain in force, or whether they were to endeavour to impress on other Powers the necessity of adopting regulations more in accordance with the interests of humanity. We might not gain what we desired, but for Heaven's sake do not let us blindly advocate and extol a state of things which, if war springs up, shuts in our mercantile marine, fetters and endangers every branch of commerce, transposes our carrying trade to other nations, and all for what?—for the mere hulks we might capture from the enemy. It was a mere question of hulks, for all that was valuable would lie under the neutral flag. He had no wish to ask anything unreasonable from Her Majesty's Government. He did not intend by his Motion to call upon the Government to press inopportunely the principle for which he was contending. He did not expect that they would send messengers in all directions to call together a Congress, but what he did ask them was, on the next occasion that presented itself, to impress on other Powers the advisability of adding to the Declaration of Paris a clause rendering private property free from capture. He knew well that one of the principal arguments that would be used against him was that the adoption of such a principle would destroy the maritime superiority of England. If it was the mission of England to spread ruin and destruction by land and sea, like as the cannon-ball goes forth, in the words of Schiller, "Shattering that it may reach and shattering what it reaches;" then, indeed, anything that limited that power might endanger England's maritime supremacy, but if we held our mission to be something very different from this, then he could conceive no one act more beneficial to promote civilization—no one act more fraught with the real spirit of Christianity than to proclaim aloud that we, at all events, were ready to enter into engagements with every nation, the weakest as well as the strongest, to relinquish that which has now become the most senseless and the most useless barbarity of war.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to use Her influence with Foreign Powers for the purpose of making the principle that private property should be free from capture by sea a maxim of International Maritime Law,"—(*Mr. Gregory*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir FRANCIS GOLDSMID said, that having taken part in the discussion of 1862, to which his hon. Friend (Mr. Gregory) had referred, he wished to make a few observations. He thought that the hon. Member was in error in saying that Sir George Lewis had suggested a Motion similar to the one now before the House. In fact, even if the House agreed in the views of his hon. Friend, it could not agree to his Resolution. The hon. Member asked the House to resolve that private property ought not to be captured at sea, and he then informed them that he did not intend to stop blockades, or to prevent the capture of contraband of war, although these were the most important cases in which the right of capturing private property was exercised. But even if the proposal were amended so as to exclude from its operation blockades and contraband of war, he (Sir Francis Goldsmid) thought it would be impossible for the House to give to it their sanction, and to resolve that England, which was the greatest of naval Powers, should henceforward be fettered in the use of her superiority. The common-sense view of the question appeared to him to be this: England was a great maritime State, and should not enter into any engagement by which in case of war her power at sea would be crippled. If a tiger and an elephant were about to fight, it would be absurd for the backers of the tiger to propose that it should not use its claws and teeth, or for the backers of the elephant to recommend that it should not use its trunk; and, if we employ a phrase with which the prevalence of the rinderpest had of late rendered us familiar, to declare that to "stamp out" its enemy by the use of its feet was unbecoming any animal of courage. The House were told that the proposed step was rendered necessary by the Declaration made at the Congress of Paris. Now, that Declaration embraced four articles; and of those four the third and the last, which stated that neutral goods should be respected even under an enemy's flag, and that blockades should only be recognized when they were effectual, were mere recognitions of previously existing principles of International Law. The fact was, that the novelty to be found in the Declaration of the Congress was contained in the first and second articles, one of which was directed against the use of privateers, while the other provided a protection for an enemy's goods conveyed in a neutral bottom. But we had had the experience of the war with Russia. The Queen's Proclamation, issued at the commencement of which, adopted the same rules which were afterwards embodied in the Declaration of Paris; and that experience had shown that, where our naval force was greatly superior to that of our opponents, our commerce was not injured by the abandonment of privateering or by anything else; but that, on the contrary, it went on undisturbed, while the flag of our enemy was banished from the ocean. He would now refer to the statesmen of America, who were tolerably acute judges in matters of this kind. An allusion had been made to Jefferson's saying about hawks and doves, but he (Sir Francis Goldsmid) might remark that, however many doves we might have, we certainly had plenty of hawks who could fly against the hawks of our enemies. He would read to the House a letter addressed on the 28th of July, 1856, by Mr. Marcy to Count Sartiges—

> "If the use of privateers be abandoned, the dominion of the seas will be surrendered to those Powers which adopt the policy and have the means of keeping up large navies. In case of war between two Powers of almost equal commerce, but unequal naval strength, an inconsiderable part of the force of the one would be required to prevent that of the other from being used for defence or aggression, while the remainder would be devoted to the unembarrassed employment of destroying the commerce of the weaker in naval strength."

Such was the opinion of Mr. Marcy on the subject, and his opinion was much more applicable to the facts of the case than that of Mr. Jefferson. For the reason stated, Mr. Marcy had declined to accede to the Declaration of Paris, except upon condition that private property should be exempted from capture at sea. That, however, occurred in 1856, when any war which could be contemplated as possible, though not perhaps probable, was a war with France or England, both being great maritime Powers. At the commencement of the late Civil War the condition of affairs was altogether changed, and the Americans found themselves engaged in hostilities with a Power of inferior naval force—the Confederate States. Then the United States professed themselves willing to accept the Declaration of Paris *pur et simple*, and they were only prevented from doing so because it was understood that France and England thought that such a course of proceeding would have given them an unfair advantage over their opponents. When, therefore, we found America, at a time when war was contemplated as possible with a superior naval Power, declining to accede to the Declaration of Paris, but expressing willlingness to accede to it when war was going on with an inferior naval Power, it was not too much to conclude that, after all, this Treaty of Paris was not so very injurious to a great maritime State. But then it was said that in the event of a war the carrying trade of England would be transferred to other nations. Now, no doubt, there would be to a certain extent a transference of the carrying trade to neutral bottoms, but that disadvantage would not be wholly unattended by what the French termed "attenuating circumstances." In the first place, war brought to English ships a good deal of employment in transporting troops and supplies; and in the second place it should be remembered that after a time foreign ships would gradually raise their freights until it became cheaper for our merchants to pay the increased rates of insurance on British vessels. The great objection, however, to all stipulations entered into in contemplation of a state of war was one which had not been successfully met by his hon. Friend. It was perfectly true that these stipulations were intended to be exceptions to the general rule that war abrogates treaties, but then these particular treaties being made for the event of war, how, when war had broken out, could the obligation be enforced? The hon. Gentleman had said that we ought to rely upon the good faith of our enemy, but unluckily that would be wanting when it was most required. It was an unfortunate incident of such engagements that the nations most disposed to breach of faith were precisely the nations with which we were most likely to go to war. He hoped that we should always observe such stipulations, but he feared they would only be observed by some other countries so long as it suited their convenience. Then, again, it had been said that it was our duty to alleviate the horrors of war. No doubt it was. At the same time, it should be borne in mind that this right of maritime capture was a matter affecting property, not life. It was entirely a question between the war ships of one State and the mercantile marine of another. It was to be ranked among the inconveniences, and not among the real horrors of war, which consisted in such things as the burning of homesteads, and the bringing of death and desolation amidst countless families; and if the right of capturing private property had the effect of leading to a cessation of those horrors it was an inconvenience to which nations ought to submit. They were told that it was desirable to protect private property at sea as it was protected on land. But was private property protected on land? His hon. Friend had cited the opinion of Wheaton, who, however, made exceptions to the rule which utterly destroyed the value of the argument. The rule, in effect, amounted to this—private property on land was respected as long as commanders thought they could leave it undisturbed without injury to the welfare of their troops or to the objects of their expedition; that is, as long as the hostile commander thought fit to respect it. If this were the kind of declaration which was required with regard to property at sea, there could be no great objection to it. His hon. Friend had referred to the late march of General Sherman, but so far from private property being respected during that expedition it was unsparingly destroyed. At first we in England felt disposed to condemn such a course of procedure; but when it was seen to have been so quickly followed by the restoration of peace, he believed that most persons would admit that that march, with all its horrors, was a right and proper proceeding if it had powerfully contributed, as it appeared to have done, to the speedy termination of the struggle. He could not consent to such a declaration as had been proposed by his hon. Friend, because he believed that instead of doing a real service to humanity, it would, by prolonging war, add to its calamities. For these reasons he should give his vote without hesitation against the Motion of his hon. Friend.

MR. LIDDELL said, the hon. Gentleman who had just addressed the House had rested a great portion of his argument upon this consideration—that the Declaration of Paris rendered the present Motion unnecessary, and had asserted that the only new propositions laid down in that Declaration were those which had reference to privateering and to enemy's goods being covered by a neutral flag. Now, he thought that in consequence of the Declaration concerning privateering, this country was placed in a difficult and dangerous position, and he therefore felt disposed to support the Motion of his hon. Friend opposite. The House, he believed, scarcely appreciated the exact position in which this question of privateering now stood, and he could not agree that the present moment was not favourable for its consideration. He wished to make all due allowance for the difficult and delicate situation occupied by this country as a neutral during the late American War. This country had, however, committed two great acts of omission. She had carried the argument of the rights of "commercial adventure" dangerously far, and neglected to provide sufficient safeguards against the equipment of privateers and vessels that might be used as privateers. Another grave omission had been in not claiming the restoration of the property of English subjects destroyed by those privateers. He feared that the conduct of England during the late war in the United States would be cited against her hereafter, very much to the detriment of her commerce. He need not remind the House that almost every great commercial country had given in its adhesion to the principle of the abolition of the right of privateering. The only exceptions were Spain, Mexico, and America. Mr. Marcy was Foreign Secretary to President Pierce when the United States were invited to join in the Declaration of Paris in 1856, but Mr. Marcy refused on the part of the American Government to give up the right of privateering, unless private property enjoyed an absolute immunity from capture at sea. America was thus committed to the abolition of privateering provided private property were made free from capture. President Buchanan succeeded to President Pierce in the course of the autumn. In the meanwhile the subject caused great excitement in America, and there emanated from the Chamber of Commerce at New York and other commercial bodies a further demand that commercial blockades should be abolished, thus separating them from purely military blockades. Thus, while negotiations were pending between Mr. Marcy on the part of America and other Powers, this further question was raised. Instructions were afterwards sent to Mr. Dallas to suspend all further negotiations on this question, and matters remained in that state until 1859, when Mr. Cass, Foreign Secretary to Mr. Buchanan, addressed Earl Russell on this question of blockades. The noble Earl at the time refused to entertain the question, and America had since placed herself out of court because she had instituted against the South one of the most effective blockades that had perhaps ever existed in the world. She was now in a position in which she might be invited to join in condemning the barbarous right of privateering provided private property was made free from capture, and that was one of the strongest reasons why the House should now invite the Government to open negotiations with foreign Powers for this object. We had not heard the last of the *Alabama,* in the event of our being engaged in hostilities with any maritime Power. The real gist of this question was—Was it, or was it not, the interest of England to maintain this right? England was said by Voltaire, 100 years ago, to be the magazine of the world, and the assertion was truer now than it was then. She was the greatest manufacturing country in the world, sending forth her manufactures over the world. But she was dependent upon foreign countries for the supply of the raw material of her manufactures, and was dependent, moreover, upon foreign supply for a large portion of the food of her people. She had thus a greater interest than any other country in the world in the safety of articles conveyed over sea. Mr. Cobden had shown that of all the produce exported from the United States, 69 per cent came to England; of the produce of Russia from 80 to 90 per cent; of China 70 per cent, and of silk 90 per cent; of Egypt 70 per cent, and of Brazil 55 per cent. It might be said that at any given moment three-fourths of the produce conveyed in ships from foreign countries was on its way to England. Was not this weapon that was to deal a blow upon our enemies certain to recoil with double severity upon ourselves? It was not necessary for England to be at war for these belligerent rights to prejudice her commercial interests. During the Italian War it was apprehended at one moment that England would be engaged in hostilities. A large amount of English tonnage was in the ports of China. These vessels could not get a cargo; a rush was made for American ships; and consumers had to pay increased prices, owing to the rise in freights, while English ships were left idle. As far back as 1681, our Government, in antagonism to an edict of Louis XIV., urged a claim for the immunity of private goods from capture at sea. That principle was again recognized in the Treaty of Utrecht, in 1713. A similar treaty was concluded with Spain at the same time, and in 1785 the principle was recognized in a treaty between Prussia and the United States. He did not wish to say anything disparaging to his country, for he felt proud of her conduct in the Great War, but they ought to remember the circumstances under which, and the object for which, that war was carried on. England, rightly or wrongly, had constituted herself the champion of the cause of European freedom; but the first step she took in behalf of that cause was to establish the most grinding despotism on the seas. The effect of that was to array against herself in armed neutrality, or disguised hostility, nations which she wished to serve, and who would otherwise have been her firm allies. He wished her not to forget the lesson of that war. England was not likely ever again to be placed in such a position. The peace of the world was not likely again to be endangered by the ambition of a single individual, or the ocean overshadowed by a single flag. It was not in the power of any nation to maintain these maritime belligerent rights, while public opinion and the civilization of mankind were steadily growing more and more strongly opposed to them. It was easy to say that treaties for surrendering or limiting those rights would be broken in war; but when once they had every maritime State in the world agreed upon certain principles, would anybody assert that any single State would dare to violate such a solemn engagement? The great difficulty which he felt in using that line of reasoning arose from the fact that almost every argument employed in favour of exempting private property from capture, applied with equal, if not with greater, force to blockades. Now, it must be admitted that the right of blockade was, in its fullest sense, a belligerent right; it might form part and parcel of a great military operation; and it must be limited only by the ability of the belligerent instituting it to maintain it. To that extent he had not a word to say against it. But they had seen one of the most powerful maritime States in the world blockading the coast of an antagonist which was almost wholly without any maritime force, and yet the blockade in that case, though said to have been effective, was run every day. And even where a blockade was effective, as it had been in former times, its pressure was so great upon those countries which consumed the articles ordinarily coming from the blockaded ports, that a relaxation of its stringency became absolutely necessary, and a system of licences was established. Therefore, even a blockade, when practically considered, was a very difficult, if not an impossible thing to maintain effectively. The point might be a minor one, but if private property at sea enjoyed an immunity from capture, it would, doubtless, tend to an enormously increased value to shipping; tonnage would increase, and that, in turn, would lead to a considerable reduction of freights, from which the consumer would benefit. But the great advantage to be derived from the recognition of that principle was, that it would operate as a great preventive of war. It was a truism, that of all the evils which afflicted mankind war was the greatest; but war had its antidote, and that antidote, undoubtedly, was commerce. The more they could bind nations together by the ties of commerce, the greater the stake they could be induced to throw down in the pursuit of profit, the more indisposed they would naturally be to go to war; and, therefore, believing that the proposition would be likely to remove, or at any rate to render very remote, the chances of war, on that ground mainly he would give it his support.

Mr. BAXTER said, that having listened attentively to all the speeches made against a Motion similar to the present one in 1862, and also to the speeches made that evening, particularly to the argumentative one of his hon. Friend (Sir Francis Goldsmid), he felt convinced that the adoption of the principle laid down in the Resolution of the hon. Member for Galway (Mr. Gregory) was but a mere question of time. Those who took a view adverse to that principle attached too little importance to the vast changes which had come over military, maritime, and commercial affairs, as well as over public opinion, during the last half century. Warfare on the old principle, especially warfare by sea, was every year becoming more difficult, and an increasing commerce rendered it less likely. The time was far from come when men would turn their swords into ploughshares; nevertheless, it was impossible for us or any nation to carry on maritime warfare on the principles which guided us in the last great war with France. Much had been said about the difficulty into which we were brought by what was done at the Conference of Paris in 1856; but it should be remembered that in 1854 the Queen in Council laid down those very principles, which were only confirmed, not initiated, by the action of the Conference of Paris two years later. The hon. Member for Reading (Sir Francis Goldsmid) said, he would never believe that England would permit her hands to be tied by any engagements of the kind; but England had already made those engagements, not only by the part she took at the Conference of Paris, but by the Orders in Council of 1854; and, therefore, the first of that hon. Member's able arguments fell to the ground. It was absolutely necessary for us either to go back and reverse the decision come to in 1854, and confirmed in 1856, or to take another step forward in the direction indicated by the hon. Member for Galway. The hon. Member for Reading, adopting an expression used in regard to the cattle plague, said England ought at all times to retain her liberty to "stamp out" her enemy. He could quite understand that view of the question—that they should not permit their hands to be tied in any way, but that they should be at liberty to take any measure which by injuring the enemy would benefit ourselves. The argument for maintaining the right of capturing private property at sea was, that they maintained it in order to injure their enemy by crippling his resources and cutting off his supplies. But then, in consequence of the Orders in Council of 1854, and the Conference of Paris in 1856, they could now do no such thing; they could not cut off their enemy's supplies or cripple his resources. The commerce of belligerents would be carried on the same as before, except that his goods would be carried in ships belonging to other nations; and the immediate consequence of England having a quarrel with a foreign nation that was likely to lead to war would be that British shipping would be at a discount in every foreign port. If such a war broke out every prudent merchant would of course only ship his goods in vessels belonging to other nations. But that would not be all. They would also have *Alabamas* springing up on every ocean, and America would pay us off with interest for the damage which her trade sustained during the last few years. We could not complain, or remonstrate about that; for the United States would allege, as England had alleged, that their municipal laws were not sufficient to prevent war vessels from leaving their ports to prey on the commerce of other countries. The mercantile navy of England had increased in enormous ratio to the increase in our ships of war; and it was impossible to think that the commerce could be protected by our navy in case of war. Our sailing ships could not be convoyed by steamers. England had at this moment something like 7,000,000 tons of shipping on the ocean, which was eight or ten times greater than it was during the last great war with France. It would require twenty times the number of ships of war we had now to convoy and protect our merchantmen in time of war. What would be the consequence if so lamentable a thing as the occurrence of a war between this country and France should take place? Suppose we had with our superior naval force shut up all the French ports by blockade, as we did in the time of the First Napoleon, still our valuable merchant vessels would be imperilled on every sea, whereas the French mercantile navy was perfectly insignificant, and was a decaying interest every year. They might destroy the whole of the ships of France without materially affecting her resources. But once apply the principle advocated by his hon. Friend, and he could not see that the interests of England in such cases would be seriously affected or injured. A good deal had been said regarding the comparison between war on land and war on sea. He admitted that there were cases in which private property on land was not exempted; but those instances were exceptional, and except there was absolute necessity for it private property on land was never seized. He excepted those cases in which recourse to such a proceeding was universally condemned. But if the principle was to be acted upon that because one State was at war with another each of those States had a right to plunder the private citizens of the other, that ought to be done systematically—it ought to be done on land as well as on sea. As, however, that would be going back to barbaric time, we should do well to follow the advice given in the words which his hon. Friend the Member for Galway had quoted from Lord Palmerston. His hon. Friend the Member for Reading had asked what guarantee they had that a treaty such as his hon. Friend the Member for Galway suggested would be observed in time of war? But if any importance was to be attached to that argument, what was the use of International Law at all? and what was the use of the Declaration or the Treaty of Paris? He hoped the House would agree to the principle laid down by his hon. Friend the Member for Galway; but however that might be, he was perfectly satisfied that whatever view might be taken by Her Majesty's Government and the people of the country, the time would come when this principle would be recognized by all nations; and he supported it, not because it would be advantageous to British interests alone, but because it would be a boon to the whole civilized world.

Sir FRANCIS GOLDSMID said, that he had not stated that in war we ought to be allowed to stamp out our enemies. He would be sorry to have uttered so savage a sentiment. He was merely alluding to the habits of an animal. His argument was that England ought not to be placed at a disadvantage.

Mr. BAILLIE COCHRANE said, that if the principle of this Resolution were carried out, they would in future have to carry on war with rosewater and in kid gloves. His hon. Friend the Member for Galway (Mr. Gregory) had raised a distinct issue which the hon. Member for Montrose (Mr. Baxter) had also adopted. His hon. Friend said, "The Declaration of Paris puts us in such a position that it is impossible to remain as we are." If this were so, it said very little for our diplomacy or for the Government which had accepted the Declaration. His hon. Friend argued that we must either rescind that Declaration or go further. His (Mr. B. Cochrane's) own opinion was we must either rescind it or sacrifice the supremacy of England. He regarded the Declaration of Paris as one of the most lamentable documents ever agreed to as regarded the supremacy and welfare of this country; and he thought it was incumbent on us to avail ourselves of the earliest opportunity that might present itself for rescinding that Declaration. In 1857 Lord Russell used these words—

> "'Free bottoms make free goods,' and 'the goods of a belligerent are safe in neutral vessels, and the goods of a neutral safe in belligerent vessels,' have always been regarded as injurious to the supremacy of maritime countries, and especially to the maritime power of England. Every one who has looked at the arguments on this subject will see that the rules were laid down as a blow to the maritime supremacy of this country. Since that time, the Secretary of State of the United States has proposed to go a step further than this treaty—that Great Britain should agree that all merchant vessels should be free from capture during time of war. It appears to me, I own, that although this proposal carries with it an air of philanthropy, it is one which would not tend to prevent war, and which, if it did not tend to prevent war, would greatly cripple the energies of this country in time of war."

On another occasion Earl Russell said—

> "I am afraid we must be bound by the Declaration. I am afraid that the consequences are so serious as to show that the Declaration was very imprudent, and I cannot but agree with the hon. Gentleman (Mr. Lindsay) that England ought to preserve her maritime superiority. The state of this question is to me very alarming, but I do not see that a breach of faith would at all mend our position.—[3 *Hansard*, cxlvi. 1490.]

Although it might be the opinion of Lord Russell that it would be very difficult to repeal the Declaration, the moment war broke out it would be at an end. Speaking in February, 1860, Lord Palmerston said—

> "A naval Power like England ought not to surrender any means of weakening her enemies at sea. If we did not seize their seamen on board their merchant vessels, we should have to fight them on board their ships of war. I deny that private property is spared in war on land any more than in war at sea. On the contrary, armies in an enemy's country take whatever they want or desire, without the slightest regard to the right of property, as we should find to our cost if a hostile army should ever succeed in landing in this country."

Lord Derby remarked of the Declaration of Paris, in 1856—

> "Whatever losses Russia may have suffered by this war, whatever embarrassments she may have experienced, I hesitate not to say that they are more than compensated by the adoption of that one Article, gratuitously inserted by the French and British Plenipotentiaries, by which, in the words of Mr. Pitt, you have sacrificed the maritime greatness of England on the shrine of Russia. . . . . Depend upon it, when painful experience shall make the country wring her hands and not her bells, she will know on whose head to visit the consequences of the decline of her power and greatness."—[3 *Hansard*, cxlii. 537.]

Having made one admittedly false step, the remedy suggested was that we should now give up the right of search and thereby strike at the very root of our maritime ascendancy—that ascendancy which had carried us victorious through the long Continental wars. The theory that the rights of private property were respected upon land sounded well; but, in practice, how had we acted? We actually destroyed the magnificent Summer Palace at Pekin, after our arms had proved victorious, and we had achieved everything which we could desire. How, also, consistently with that theory, could we justify the bombardment of Kagosima? He believed with Nelson that "England must maintain the right of search, so long as she had a ship or a shilling left." In former wars naval officers, animated by love of country, frequently cast aside their private interests and burnt ships which they had captured, because they could not spare men enough to man the prize. But now a naval officer could not continue to act on such considerations, because it might turn out that the ship had neutral property on board, and an action would be brought against him to recover its value. We had already taken one foolish Quixotic step in a wrong direction. Instead of confirming the error, we ought to be very careful how we plunged ourselves into greater difficulties. He rejoiced in the commercial prosperity of the country, but there was something to his mind superior to commercial prosperity, and that was the dignity and honour of the country. And at what time was it that the proposition was made still further to diminish the naval strength of the country, and to throw away the best defence yet left to the nation ? At the very moment when every nerve was being strained to produce fresh weapons of offence and means of defence, Armstrong guns and turret-ships, and when the Naval Estimates were quite equal to those proposed in any former years. His hon. Friend had done good service in inviting this discussion. He hoped its result would be to call forth a strong declaration of opinion in favour of the rescinding of the Declaration of Paris.

MR. M'CULLAGH TORRENS: If I thought it possible that those who are charged with the administrative guidance of our affairs, or those who may hereafter succeed them, could regard with the levity and unconcern of the hon. Gentleman opposite the moral obligations of the understanding come to at the Conference of Paris by all the Great Powers of Europe, I should indeed look upon this as a wasted evening, and the present as a vain debate. That understanding cannot, indeed, be said to have the binding efficacy of a treaty; but International Law does not consist of the mere ties and bonds mutually imposed by civilized States on one another; but, like the Constitution under which we have the happiness to live, it is the aggregate and sum of a vast and varied series of precedents, concessions, and reciprocal acknowledgments of the worth of justice and the wisdom of humanity in the dealings of nation with nation in peace and in war. The resolutions taken at Paris at the suggestion of M. Walewski, as the representative of the French Emperor, have all the characteristics of a forethoughtful and high-minded policy. They were commended to the attention of the assembled diplomatists of Europe, on the noble plea that as the Congress of Westphalia had ratified the principle of liberty of conscience, and that of Vienna had been signalized by the abolition of the slave trade, so that of Paris would mark a happy epoch in political history if it secured immunity from capture and confiscation henceforth the property of neutrals and the repudiation of Letters of Marque. Not without instructions from their respective Governments, not hastily or privily, as some have supposed, but deliberately and solemnly, the Ministers of England, Germany, Italy, and Prussia gave their adhesion to the propositions of France; and a great step was thereby taken in the direction of international progress and international civilization. And if I differ from my hon. Friend near me (Mr. Gregory) in any one particular, it is in the hypothesis which, for argument's sake, he was induced to put of two alternatives which our Government might pursue in this matter. Either they must rescind the Convention of Paris and retract its merciful and magnanimous stipulations, or they must prepare to follow up those stipulations, as the United States proposed, to their logical and legitimate sequence, by making all private property, in whatever vessel borne, secure from rapine at sea. Now, I demur to the former alternative, for I deny that for a great country like this there is, in our day, any possibility of going back. Through the timidity of our rulers we may for a time lag behind on the path of progress; but progress is the inevitable path on which we have entered, and onward for good or for evil we must go. I do not believe that any statesman of any party in this country, were he perverse enough, would be powerful enough to retract in the national name the wise and honourable resolutions taken in 1856 at Paris. They are already regarded as part and parcel of the amended law of Christendom, and our duty is not to question their validity, but to extend their scope. We have heard many predictions of the ruin to our trade and the dishonour to our flag which a renunciation of the practice of maritime spoil would, it is said, entail. I am old enough to have heard similar prognostics to those that are now uttered regarding the approaching downfall of British greatness on many occasions, and notably when Catholic Emancipation and the repeal of the Corn Laws were carried. Prognostics of this kind always remind me of what was once said by the late Lord Macaulay—that the British Constitution was always upon the verge of ruin if some people were to be believed, but that luckily therenever was a Constitution that took such a deal of ruining. The Anti-Corn Law League was denounced by great authorities in and out of Parliament as visionary, seditious, and even anarchical; and I have heard it said that a Liberal Premier forgot himself so far as to tell the Queen that the men who would insist on free trade in food would take the Crown off Her Majesty's head. Yet Protestantism still survives the Relief Act of 1829, and landed property is certainly as safe, and considerably more valuable than it was before the repeal of the Corn Laws.

And so it will be after we have abolished licensed brigandage at sea. I think it greatly to be regretted that the offer made by America was not accepted in 1856, to join the rest of Christendom in abolishing privateering on condition that all private property should be respected on the ocean as much as it is on land. I think it equally to be regretted that in the earlier days of the late Civil War means were not found for simultaneously amending the Foreign Enlistment Acts of the United Kingdom and the United States. Great evil has ensued therefrom in the dissemination on both sides of sentiments of distrust and of feelings of alienation where there ought to be mutual respect and confidence. Our Foreign Office could do nothing more useful than to evince, however tardily, a desire that the Foreign Enlistment Acts of the three great maritime Powers of the world should be placed, if possible, on an identical footing. The moral value of the attempt to do so would be as clear as the material value of its success would be inestimable. France was ready to go forward with us on this point. No one who had studied the recent course of French policy could entertain a doubt on the subject. And nothing had filled him with greater surprise than to hear it stated on high authority that the real obstacle in readjusting the laws regarding enlistment and international maritime relations was the Government of Washington. It was said that during the late Civil War Her Majesty's Government had shown themselves willing to entertain the question; but that, owing to cold water thrown upon it by the American Government, Her Majesty's Ministers were unable to come to Parliament with any proposition. Such an allegation was in direct contradiction to the official account of what passed between the present Prime Minister and the representative of the United States in this country. I hold in my hand a despatch dated the 19th January, 1863, in which Mr. Seward wrote to Mr. Adams in reply to a despatch from him of the 25th December, 1862, communicating the substance of what had recently taken place between himself and Lord Russell; and after noticing the arguments used on both sides respecting the case of the *Alabama*, and expressing a hope that the American claim for compensation might be re-considered, Mr. Seward goes on to say—

"It is not presumed that our anti-Enlistment Act is defective, or that Great Britain has ground to complain that it has not been effectually executed. Nevertheless, the proposition of Her Majesty's Government that the two Governments shall confer together upon amendments to the corresponding Acts in the two countries, evinces a conciliatory, a liberal and just spirit, if not a desire to prevent future causes of complaint. You are, therefore, authorized to confer with Earl Russell, and to transmit for the consideration of the President such amendments as Earl Russell may in such a Conference suggest, and you may think proper to be approved."

I know not what is the force or meaning of language if this does not imply the strongest, a frank and cordial, readiness to meet an offer when made, and to attribute that offer to friendly motives. There is really no cold water here. The truth is, I believe, that between the proposal for contemporaneous revision on the principle of mutuality made by Lord Russell on the 19th December, 1862, and the interview with Mr. Adams on the 13th February, 1863, at the Foreign Office, our Cabinet, acting on the advice of the Chancellor, had changed their minds, and were no longer disposed to negotiate. I hope, however, that there is now a disposition to consider fairly and fully the unsettled questions of International Law, and the obstacles in the way of arriving at a better understanding are, I believe, not of an insuperable kind. The trade of Great Britain is ten times as great as it was in 1812, and consequently it is ten times as incapable of protection from an enemy's vessel. Under the present laws the mercantile community would be greatly exposed in the event of a war; but I contend that they ought not to be made the especial victims whenever Government choses to draw the sword. The eloquent apologist of oligarchy at Rome gave no such advice to his noble friends as that they should leave the brunt of war to fall upon the industrious classes of the community. He knew how, in a commercial State, sudden loss to many spreads to many more. *Non enim possunt una in civitate multi rem atque fortunas amittere, ut non plureis secum in eandem calamitatem trahant.* The Government had shown that they were unable to prevent ships leaving this country to prey upon American commerce, and should a quarrel arise with France, Prussia, or any other country, the ports of every neutral Power would be open for the use of the enemy and could not be closed. I am not one of those who believe that pillage of the property of private persons would have the effect of stopping a war; nations will fight out public quarrels, no matter what class of the people are the chief losers. The burden, however, ought to be borne by all in an equal measure. I am unwilling to prolong the discussion to any greater extent; but I could not listen to such statements as have been made by hon. Members on both sides of the House without raising my humble voice in protestation. I hold that the Declaration of Paris was a salutary measure, and that England will do more for the advancement of the human race by her efforts to spread commerce and civilization than by any warfare, however triumphant, in which she may embark.

Mr. BUXTON said, that the importance of the question which his hon. Friend had brought before them could hardly be exaggerated, nor could any question press more urgently for prompt settlement. As the present Prime Minister had said, "the state of this question was very alarming." Now, this proposal had been talked of as emanating from a mere feeling of maudlin humanity. He denied that the question was a question of humanity. It did so happen that if this proposal were carried into effect vast numbers of persons in case of war would be saved from utter ruin; but that was purely incidental. That was not the motive for its adoption. The question was a question not of humanity, but of policy, and he was at a loss to imagine how any one could have carefully examined the arguments on both sides without perceiving clearly that the Imperial interests of this country most strongly demanded that Government should strain every nerve to induce the Great Powers to accede to the rule that shipping, as well as goods, should be free from capture. For, look how the matter now stood. The Declaration of Paris, whether it was, as in his opinion it undoubtedly was, wise and noble, or whether it was weak and foolish, at any rate, could not be repudiated. It would be disgraceful to this country to enter into an agreement with the other Great Powers, and then a few years afterwards fling it carelessly aside from mere vacillation. But more than that. In these days it would be utterly impossible for this or any other country to insult their allies by taking enemy's goods out of the holds of neutral vessels, unless, indeed, they were implements of war intended to help the enemy. The history of the last 100 years had shown, with only too ample demonstration, the frightful evils that such an attempt could not fail to engender. No statesman could wish England to take such an arrogant and exasperating course; and in the Crimean War, two years before the Declaration of Paris, we of our own accord resolved to abstain from doing so. Then the result of this state of things was perfectly obvious, and the experience of the Americans during their Civil War had added the demonstration of actual experience. It was clear as the day now, when two nations go to war the merchants on either side would cease as quickly as possible to send their goods by the shipping of their own country, which would be liable to capture, and would send them instead on board neutral vessels. No one had denied—no one could deny, that such would be the result. It had been said that merchants were men of sense. They need not go so far as that. It was quite enough to say that merchants were not born idiots; and none but an idiot would think of sending his goods in a ship liable to capture so long as it was possible to find a perfectly safe conveyance. There would be no conceivable motive for his doing so. There would be every motive for his doing the reverse. Every man of business in the House knew perfectly well that in a matter of trade like that one would as soon think of flying as of not taking the most economical course, even if it would only save one *5s.* But, now, could any Englishman contemplate without a feeling almost of horror such a result as that, that our enormous shipping should either be thrown into a state of complete idleness, and rot useless in our harbours, or else that it should be sold to neutral countries, the French, the Dutch, or others, and our carrying trade transferred, perhaps, for years and years, perhaps for ever, from us to them? Could it be denied that such a result as that would, at any rate, be a calamity of the first magnitude? This would not be a case of loss and suffering to individuals; it would be a calamity, a terrible calamity, to the whole nation. Look at the enormous proportion of our shipping as compared with that of other countries. He did not merely speak of countries whose maritime trade had but a slender growth; but compare our shipping with a country like France, with a seaboard to the Mediterranean, the Atlantic, and the Channel. The tonnage of England, as compared with that of France by the last return that he had been able to procure, amounted, in round numbers, to 5,000,000, as against 1,000,000. That was the comparison between England

and France; but suppose war should arise between us and Prussia, or between us and Austria or Russia, how enormous would be our disadvantage—how enormous would our loss and suffering be as regarded that inevitable paralysis of our shipping interest compared to that of our antagonists! And more than that—our imports and exports for the year before last amounted to little less than £500,000,000. It must take some time for the complete transfer of such an enormous trade from our shipping to that of neutrals. During that interval, in consequence of our having the largest amount of shipping and the largest amount of goods, we should suffer far more grievously than our opponent, whose smaller trade would be transferred with greater rapidity than would be possible with ours, reaching such a vast amount, and scattered over the face of the earth. If we went to war, for example, with some small Power they might be absolutely free from any loss under this head. Their petty trade could at once be thrown into neutral bottoms, while our ships in all parts of the globe would be in the utmost peril of capture. We should, therefore, stand by our own act, or rather by our own negligence, at a fearful disadvantage as compared with others. The answer suggested was, that the fleet of England was also enormous as compared with that of any other nation, and would, therefore, be able to afford a proportionate amount of defence, but it must be remembered that practically now the navy of France was little less than our own, while our shipping, as he had said before, was five-fold greater; and the experience of the Civil War in the United States had demonstrated that a very fast sailing cruiser, such as the *Alabama*, might perform the most terrible ravages among the mercantile marine without the possibility for many months, perhaps for many years, of her capture. Experience has demonstrated again and again that a navy, however powerful, could not afford any certain protection to shipping. Even in two years of our last war with America, from 1812 to 1814, no less than 2,500 of our ships, with cargoes valued at upwards of twenty millions, were taken by the Americans, although at that time we had, he believed, little less than 1,000 ships-of-war on the seas. The loss at the present time would be infinitely greater. The argument might be thus summed up, that as long as Great Britain presented an incomparably larger surface to attack than any country with which she would be likely to come into collision, her interest was on the side of her shipping being exempted from capture. The force of these considerations was obvious; but then by what arguments were they encountered? First and foremost appeared to be that it would be in vain to enter into any such agreement as the one proposed, because war at once abrogated all treaties and agreements. He thought the argument of the hon. Gentleman the Member for Galway was overwhelming on that point, and he was anxious to know how the learned Attorney General would meet it. If this agreement were entered into it would not be merely with the two possible belligerents, but with all the Powers of Christendom. The Declaration of Paris was signed by between forty and fifty different nations. Obviously, if the moment war broke out the agreement should fall to the ground, it would be mere childishness for them to spend their pains in weaving a mere cobweb that would be brushed away in a moment. But was that really so? Undoubtedly, ordinary treaties between two nations disappeared the moment those two nations go to war; but the case was vitally different in every respect with regard to agreements entered into by all the Great Powers of Christendom, and deliberately accepted by each of them as a member, so to speak, of the commonwealth of nations. In such case the agreement clearly would continue to bind any two of those nations that went to war—first of all, because each of them would have made that agreement, not simply with its opponent, but with each of the other Powers, who by entering into that agreement had shown that they regarded it as a matter of strong interest to themselves that the arrangement should be maintained; and if a nation was at war, the last thing she would wish to do would be to break faith with all the neutral Powers, and irritate them against her. But, again, he ventured even to deny that the agreement would cease to be binding as between two belligerents; because those two would previously have pledged themselves to adopt a certain course expressly with a view to that case of war breaking out between them. It would, therefore, be a flagrant breach of faith—it would be a shameful stain on the honour of each of them to fling its pledges to the winds the moment the time came for acting upon them. It was a standing practice in war that the two belligerents entered into arrangements of some kind—as, to give an obvious example, with regard to the exchange of prisoners. The world would cry shame on the belligerent that threw them aside. Who would dream of saying that such agreements were not really binding, and that either party might shirk the performance of his part at his own pleasure, without the other's consent, simply because a state of war extinguished all treaties? No nation that respected herself, no nation that cared for her own honour, would care to break through an agreement deliberately entered into, expressly with a view to the case of war arising, on the shameful pretext that war abolished an agreement entered into expressly with a view to war. The next leading argument against this proposition was, that if you diminished the suffering attendant upon war you diminished the inducements that lead nations to keep the peace; that it would make war a great deal too easy if the trading classes knew that there would be no interference with their ordinary operations. That, no doubt, was a very weighty argument; but it had two sides to it. Grant that the probable suffering to large classes was a strong inducement to a nation to keep peace—grant that the actual suffering of large classes was a strong inducement to a nation to bring war to an end; still it must be remembered, and that was a matter of very grave importance for a British statesman to bear in mind, that the inducement would act with incomparably greater force on this country than on any other country with whom she might be likely to quarrel, for the plain reason that her shipping so vastly exceeded that of any other nation. In other words, so long as the present system was maintained, England incurred a far greater risk of injury in this respect than her opponent, whoever that opponent might be; and therefore the statesmen of this country had their hands far more tied, they were far less at liberty to take their own course, than the statesmen of any country with which a misunderstanding might arise. What did that mean except that we should be far more hampered in our policy? No one, he was sure, could detest and abhor war more heartily than he did. No one could more earnestly wish that every possible inducement should be held out to nations to avoid or to shorten war, but he did believe that no country was less likely to seek war needlessly than Great Britain, and, as an Englishman, he could not wish that our policy should be hampered and tied down by considerations that would act with infinitely less force upon others. He was not sure that in the case of Denmark our policy had not been thus unduly hampered. He should wish, if possible, to release our statesmen from being compelled in negotiations and questions of policy to regard, as they must now do, the tremendous risk that England would incur should war break out. But, again, he did not believe that that consideration did really tend to the peace of the world. So far from it, it seemed to him that it would act as a very telling inducement to other nations to go to war with us, that we, probably, under the present rule with regard to shipping, should be so vulnerable and incur such terrific losses and suffering from which they would be almost absolutely exempt. Take such a case as, with their smaller mercantile marine, a war arising with Russia or Prussia, or even America. He put it to the plain sense of hon. Members whether there was not now actually a greater risk of those countries threatening us with war because of that very consideration which some hon. Members of this House told them tended in the direction of peace? So much for that very important argument. But then, again, they were told that when they asked that private property at sea should receive the protection already accorded to private property on land they were talking of that which did not exist. He had been astonished, and not only astonished, but grieved to find that some leading politicians in that House had denied the existence of the rule that private property on land was to be preserved. He was at a loss to imagine how any man could possibly affirm that the immunity of private property on land was not recognized by all civilized nations. He remembered that when he brought forward his Motion with regard to Admiral Seymour, the great difficulty he felt was the possibility that it might turn out that it was not done on purpose, but as it afterwards turned out that the destruction of the forts was an accident. When he withdrew his Motion he received from Lord Palmerston a most definite declaration on that point, which he felt to be of far greater value than any momentary triumph over the Government—namely, that if Admiral Seymour had deliberately destroyed the town of an enemy, it would have been nothing less than a crime. Certainly, within the last seventy or eighty years history showed that it had been admitted as a rule by all Christian belligerents, that private property was safe from destruction. There had been no doubt many exceptions to the rule. Men, like the First Napoleon, had trampled on that as they would trample on whatever else could restrain them. Of course, in war necessity obeyed no law; a general was bound to stop at nothing that could help him on to victory or preserve the health and lives of his men; but, beyond all question, it was the rule of modern warfare that a hostile army did not wantonly destroy the property of private persons. Although Wellington did it in the Peninsula, it should be observed that he did not destroy the property of his enemies, but that of his friends, those he had come to deliver, and there was a necessity for what he did. He was deeply grieved to admit that in the recent Civil War in America the rule was in many cases set aside; but it was well known the passions excited in civil war were more terrible than those which were excited in any other war. But even General Sherman put forward the plea that it was absolutely necessary to lay the country waste in order to prevent Hood from following him; and when the city of Columbia caught fire, as was now proved, by accident, Sherman and his men did their very utmost to extinguish the conflagration and save the town. In fact, the rule arose not so much from the greater humanity of the age, as from the dictates of common sense. Experience had proved that the sufferings of private persons in war had never yet induced nations to abstain from it, nor yet to make peace. On the contrary, it was found that those miseries really tended to lengthen war by exasperating the passions of the combatants to the highest pitch, and that by respecting private property they really paved the way towards a speedy and amicable settlement of the quarrel. Upon the whole, it seemed clear that the arguments against this proposal had no real force in them, while if the present absurd and anomalous state of International Law were suffered to continue, this country, beyond all others, stood in serious peril of overwhelming calamity.

The LORD ADVOCATE said, that there could be no doubt whatever as to the importance of the question raised. He would freely admit the value of the argument in favour of the Motion, that if we were engaged in a war with any maritime country, our commerce and our merchants would suffer more than the commerce or the merchants of any other country, and no doubt whatever expedients might be suggested for the purpose of lessening the pressure and disaster which would accrue from a war, the people of this country would suffer very much from the interruption of their commerce with foreign nations. But this was in reality saying nothing more than that in our prosperity we had much to lose, and that in the great commercial progress which this country had made we had a larger surface exposed to the attacks of our enemies than we had formerly. But, on the other hand, if we had a larger surface exposed to attacks we had also to the same extent become more formidable to our enemies. If our enemies were enabled to direct more weapons against us than formerly we also had more weapons of warfare at our service, and indeed our commerce itself was to a great extent the child of the maritime supremacy of this country. The question, as a matter of expediency, really was, whether the abandonment of the right of capture by sea would not cripple our resources and weaken our influence to a greater degree than its retention would injure our commerce? An hon. Member had said that whenever a great reform was proposed it was prophesied that it would ruin the country. But, on the other hand, it had been prophesied that unless the proposed change were adopted the moment a war broke out our commerce would leave us—that our food would have to be carried in neutral bottoms, and that foreign countries would become the carriers of the world. To some extent that might be true, but there were some countervailing circumstances in that matter. If insurances were raised freights also would rise, and before those nations could take away our carrying trade they must construct a carrying navy. If, as they had been told, the tonnage of the mercantile navy of this country was as five to one compared with France, that country would have to multiply her navy in that proportion before she could undertake to carry our goods. He did not say that the effect would not be prejudicial to us, as all wars must be to those who entered into them; but all he said was that there was another side to the view that had been put forward by hon. Members who had addressed the House on the subject. He did not fear but that if we went to war with America, and lost many of our vessels, we should capture a larger number. He believed that the energy of the country would meet a new emergency as it had met emergencies before. So much for the mere matter of expediency. But the question had been argued as one of principle; and it was said that private property ought to be exempted from seizure by sea, because it was exempted from seizure by land. This argument, however, proceeded on an entire misapprehension of the nature of war. All war was an invasion of private property; there could not be war without it. If private property were not to be taken what were armies to fight for? If both armies were to be withdrawn from attacking private property what would be the result? What was public property but the aggregate of the private property of the State? If commerce was to go on during war as before the war broke out what effect could the war produce? The armies might go on marching and countermarching for ever. If no effect was to be produced on the private property of individuals, which in the aggregate made up the public property of the country, the war would lose its effect, and thousands of valuable lives would be lost, and oceans of blood would be shed without result. If a foreign army landed on an enemy's shore, could they march through a field or go a step without invading private property? Could they take possession of villages in their march, and all the while respect private property? What was the capture of territory but the invasion of private property? Let any one travel through the Southern States of America at this moment—he did not refer to the grosser outrages perpetrated in the war—but, independently of that, would he not be able to tell that an army had been there? And how? Simply by the ruin and desolation of private property on every side. It was, then, vain to say that private property was respected on land during war. There were rules, well ascertained and fixed rules, with regard to this warfare, but they were rules which had not originated in treaties and conventions, but which had sprung up from the humanized feelings of the belligerents themselves. He believed that the recognized rule in warfare was that private property, the property of individuals, ought not to be the object of seizure, or capture, or destruction, when the result to be gained by the nation was disproportioned, and largely disproportioned, to the individual loss. But, with regard to private property, it was impossible to lay it down as a law that it was not to be touched. It would be a cruel thing generally to bombard a town not fortified. But were we to say we would never bombard? It was a cruel thing to march an army through the corn fields of the farmer; but were we to bind ourselves never to do it in case of warfare? We did not confiscate the property of a belligerent in our own country; but we did not allow trade to be carried on with the enemy. There were rules of this kind recognized by all civilized nations, because it was clear that they could not be violated without the violation of private right producing greater injury than any advantage that would be gained by the country doing the act. Still, there were cases in which the public safety demanded, necessarily demanded, an extension of the ordinary practice in such matters; and therefore it was that the exceptions which had been referred to were the exceptions, not the rule. A state of warfare signified a denial of the right of property as regarded the belligerent; and the exceptions were the cases where by the practice of all civilized nations private property had been protected because its destruction would be wanton and unjustifiable. If this were the real nature and principle of the case, it was quite plain that there was no principle involved in the capture of the vessels of an enemy at sea that was not also applicable to the capture or destruction of property on land. There seemed to be an idea—he thought it an erroneous one—that capture of property at sea was capture for the purpose of plunder. No doubt the effect of capture of vessels at sea was that the cargo might be condemned by a Prize Court; but the principle of it was this. The capture was rewarded by the condemnation of the vessel. The object being to cripple the resources of the enemy, those who engaged in crippling the resources of the enemy were rewarded by the prizes. The only question, therefore, was whether the resources of the enemy were not crippled by the capture of their vessels at sea. He did not maintain that this was not a matter that might be adjusted by treaty. He did not mean to say that if a treaty or convention were signed by all the Powers with whom we were likely to go to war, that that convention would not be available. But treaties had not always been safeguards. He found that in one of the despatches of the American Minister on the subject of the Convention of Paris he mentioned that there were only two known cases of the kind, and the fate of those treaties was not such as to encourage the expectation that such would be carried out. The first was broken on going to war; the second, between Prussia and Holland, lasted only two years. If a convention to this effect should be signed, he by no means said that it would not be kept. But there would probably be an unwillingness on our part to sign such a convention. We should be surrendering more than others in so doing. Many European States would be glad to see the tremendous power of England restrained in the event of a war. But passing from this, one of the objects of the Treaty and Convention of 1856, which the hon. Member for Honiton (Mr. Baillie Cochrane) was so much discontented with, was to reduce the maritime law of Europe to a uniform system. He was surprised to hear the hon. Member complain of an article by which neutral goods were protected when in enemies' ships, for if that were new law to France it was far from being new law to this country. Our former law was that neutral goods on board an enemy's vessel were protected in case of the capture of the vessel. The hon. Gentleman complained that such an article would give a right to the neutral merchant to bring actions against England for the capture of their goods in enemies' ships. That supposition might possibly be well founded, but such was the law before the Convention of Paris. The French law was that free vessels made free goods, while our law was that, although the neutrality of goods protected them when under an enemies' flag, on the other hand, enemies' goods under a neutral flag were not protected, and the law was altered by that Convention in order to secure uniformity in the maritime law. That alteration was as much in favour of this as of any other country, inasmuch as the right of search, although used for our advantage, was a most vexatious and dangerous right, as it was calculated to bring us into conflict with neutral nations at a time when we might be sufficiently occupied elsewhere. These were all the observations that occurred to him upon this very important point. In his opinion they would act very rashly if they tied their hands by a Resolution of that House or by an Address to the Crown, in accordance with the proposition of the hon. Member for Galway. Hon. Gentlemen said the country was sure to progress in its ideas on this point; but he could not see that on the question of belligerent rights there was much to learn. The great jurists who had written on the subject lived at a time when a state of war was the ordinary, and a state of peace was an extraordinary state of things, and since their time no author had produced works on that subject of equal value. The hon. Member asked whether they would not rob war of its terrors, and so permit private persons to pursue their peaceful avocations. But how was it possible to rob war of its terrors? By endeavouring to do so they would only increase the misery it unavoidably caused. If war were not terrible, it would not effect its purpose. It was far better that it should be sharp and short than that it should linger over campaign after campaign. The misery produced by a prolonged state of warfare was infinitely greater in the end than that which would arise from the terrors that would be created by the terrific engines of modern invention. They never could rob war of its terrors, nor enable persons to pursue their peaceful avocations in the midst of war. The only way to rob war of its terrors was to avoid that which might occasion war. If it were true that in these times of great prosperity our merchants trembled at the thought of war, let the country recollect that it had entered into recognizances to keep the peace, and let it do its best to preserve it.

Mr. LAING said, that after the observations of the hon. and learned Member who had just sat down, it was evident there was nothing to be expected from the Government, and it was absolutely necessary for those who desired the alteration in the law now proposed to appeal to public opinion, and to state fairly the grounds upon which they believed that such an alteration would tend to the advantage of this country. The Lord Advocate told them to console themselves with the reflection that it was the great prosperity of the country that rendered it more open to attack than others, and that, as its commerce had extended, so the area on which it could be attacked had widened. But that was not by any means the question at issue. The question was, whether a definite proposal to introduce a new principle into the existing International Maritime Law, which was apparently attainable by the consent of the European Powers, would or would not be, if adopted, for the advantage of this country. Every one must admit that the position into which England had been forced by recent transactions was exceedingly unsatisfactory. The Russian War, the Convention at Paris, the American War, and the recent diplomatic correspondence between this country and the United States, proved the existence of a state of things from which the gravest results were to be apprehended. Under such circumstances, was Her Majesty's Government to be content to sit still without making an attempt to extricate the country from its danger. Had not the people a right to call upon the Government to exercise a little foresight, and to look ahead in order to protect the country against calamities to which, in the event of war, it would be subjected unless the International Maritime Law were altered? What was the actual state of things at present? Our shipping presented an aggregate of 7,000,000 tons engaged in maritime commerce, and upon it the wealth, the industry, and he might almost say the existence of the kingdom depended. Our annual imports and exports amounted to a total of £500,000,000 sterling, and it was the conviction of almost every merchant that in the case of war between this and any other country, the whole of that enormous property would, for the time, at all events, be almost annihilated. They were told by the Lord Advocate that our shipping trade was so vast that it could not be annihilated; but let him tell the hon. and learned Member that no merchant would run the risk of his goods being captured under the English flag, when he could protect them from the enemy by sending them under a neutral flag. Was it to be supposed that in time of war the consignee of goods sent by an English merchant from Calcutta would, on receipt of the shipping documents, accept the draughts upon him in respect of such goods, according to the present practice, if he knew that they were sent on English bottoms, and were thereby liable to capture, and if insured, with the risk of the failure of the insurance company? He would rather pay the most exorbitant freight for the conveyance of the goods under a neutral flag, to insure their safety. The argument, therefore, that the English shipping interest would not be entirely suppressed, was one that told against a far more important interest, the commerce of the country. If it were true that the whole of the enormous commerce of this country could not be sent under a neutral flag, the consequence was that it would pass partly under a neutral flag, and partly it would not pass at all, until the English ships could be transferred to a neutral flag. The practical question resolved itself into this, whether it was or was not for our interest to establish the principle now in question. He would say frankly that he was not a sentimentalist in this matter, that he did not look upon it in a legal point of view, but in reference to what was the interest of this country; and he spoke with the profound conviction that if this principle could be established it would be the means of averting war, and that, in the event of war, it would give us the means of terminating it with success. Now, what was the principle which they wanted to establish? It was this—That private property by sea should be put upon the same footing as private property on land with regard to its exemption from capture, unless for *bonâ fide* belligerent purposes. It had been urged that there was no distinction between the two cases He would refer to the highest possible authority on that point to show how clearly defined the distinction was between the two cases. In the case of the Danish claims brought before this House some years ago, certain property of ours had been confiscated by the Danish Government, in consequence of our attack on Copenhagen. The holders of English property confiscated by Denmark called on the British Government to reimburse them out of Danish property seized in England. In reference to that case the Attorney General said, two or three years ago—

> "We admit that claimants on land are entitled to have their losses made good; but a great distinction is to be drawn between property taken by land, and property taken by sea; the former should be restored, but the latter should not."

The Chancellor of the Exchequer said in the same debate, quoting the authority of Sir James Macintosh, that the distinction was clearly drawn between holders by land and holders by sea. What happened when the British troops marched to Pekin? They destroyed the Emperor's summer palace; but that was not a wanton destruction of private property, but an act of retribution on State property for atrocious murders committed in violation of a flag of truce on British public servants. But no private property was seized upon, nor was a single bullock or bushel of rice taken without full compensation being paid. It redounded to the credit of the English that they preserved discipline and respected private property, retribution falling solely on public property. Again, in America the principle was not violated, even during the Civil War, when it might be supposed the rules of warfare would not always be respected. When cotton was seized in the Confederate States, the question arose whether it was the *bonâ fide* property of private proprietors, or only colourably in private hands, but really belonged to hostile States. When cotton was sold by the captors the proceeds were retained, subject to claims to be substantiated by private parties, who should not be colourable holders. With respect to the case in Japan, was it not the universal feeling of the House that the justification for the destruction of the town of Kagosima turned on the question whether it was destroyed, or had been accidentally set on fire, for *bonâ fide* belligerent purposes? The fact of the existence of courts of judicature for captures by sea, and that none were established for captures by land, clearly established the distinction between the two cases. Private property on land could not be taken unless there was a necessity, and when so taken would be detained without any appeal to law, but on sea we appealed to law to say whether it was a *bonâ fide* capture of an enemy's private property. In congresses and in diplomatic correspondence there never was any question raised as to the reality of the distinction between the laws applying to sea and those applying to land. The American Government offered to adhere to the prevention of privateering if private property on sea were placed on the same footing as that on land, and then the answer was not that this would make no difference, because upon the principle there never was any doubt whatever. The establishment of the principle contended for would not affect the right of blockade; for as private property on land could be captured in the event of a belligerent necessity, so private property by sea would not be exempt if breaking a blockade. The right of blockade by sea was as complete a belligerent right as the right to capture a town by land. That was the best answer to the argument that the maritime strength of this country would be thrown away if the principle now advocated were acted upon. By a blockade neutrals were put to a certain amount of inconvenience which they must submit to, but the entire exercise of belligerent rights was retained. Having now defined the principle which, he contended, should be established—namely, that private property by sea should be placed on the same footing in respect to exemption from capture as private property by land, he came to the question whether it was to the advantage of England, situated as things were, to see this principle adopted by the general consent of the civilized nations of the world. To judge that question properly the actual state of things must be considered. The whole course of modern warfare had been revolutionized by modern improvements and discoveries. If they could go back to the days of 1815, and to the wooden walls of England, he should by no means be prepared to advocate this principle; but the state of circumstances had entirely changed. Steam was now made applicable to warfare by sea, and railways to war by land, and these circumstances had completely abrogated the state of things which gave to this country the maritime superiority in the last war with France. That was continued until the fleet of England had swept all hostile fleets from the ocean; and Napoleon, being master of the Continent, had closed every port against this country. In return, this country blockaded every port on the Continent, and there was a chance of starving the enemy into submission by hermetically sealing the Continent against all supplies. But even that would not have succeeded if the events in Russia, the Peninsula, and Germany had not brought the war to a termination. But how did the case stand now? Some Gentlemen talked of the Declaration of Paris having abandoned a great principle which was in our favour; but that was the result, not of that Declaration, but of the alteration in the modern means of communication. How could they hope to starve Russia into submission by blockade during the late war, when neutral vessels could go into Dantzic and Stettin, the ports of another country, where they found railways to carry the freight into Russia? And the railways were not so complete then as they are at the present moment. If this country should be unhappily at war with France, could England stop American ships from taking cotton to Antwerp because of a suspicion that it was to be removed afterwards into the manufacturing districts of France? Such a thing was manifestly impossible, and could not be attempted without involving this country in a war with every neutral nation. In case of war, the utmost injury which this country could expect to inflict on France, by the maintenance of the principle he was now arguing against, was to force her to transfer her commerce of 900,000 tons to neutral bottoms. But what damage could France do to this country in return? Instead of 900,000 tons of commercial shipping, this country had 7,000,000 tons, with vastly more valuable cargoes, and France could oblige England to forego that amount of commerce, to starve the industry of this country, and to throw the working classes out of employment, or else to transfer the whole of that enormous carrying trade to neutral flags. He dwelt on this point, because he recollected that in 1862 Lord Palmerston stated that if such a Motion as the present were agreed to war would be deprived of all its terrors, and others had said that war would be converted into a question of protocols, and become a matter of white kid gloves and rosewater. But those who held that language little knew the relations between great commercial countries and what were the real securities for peace and the drawbacks against going to war. In the case of France, it was not the necessity for protecting its 900,000 tons of commercial shipping which constituted the drawback to war, but the enormous mass of property disseminated among the French people in recent years, and their growing wealth and prosperity. The policy of the Imperial Government had been to increase the National Debt, and distribute it in small amounts among that class of the community to which the Government looked mainly for support. Nor did that apply only to the National Debt. There was not less than £1,000,000,000 of property that would be depreciated 10 per cent to-morrow if war were declared between the two countries. And if we looked at the United States, what was the great security for the maintenance of peace? He did not speak of moral considerations, which they all so much respected; but the material guarantee for peace was undoubtedly not the capture of a few vessels more or less on either side, but it was to be found in the fact that the financial position of the United States was such that peace was her salvation and war would be her ruin. The United States at the conclusion of the late war had to grapple with financial difficulties quite as great as surrounded this country at the conclusion of the great war in 1815. They had grappled with those difficulties with the most astonishing resolution and success up to the present time, but still the result was trembling in the balance whether they would or would not be able to surmount the dangers of an inconvertible currency and national bankruptcy. That fact infinitely transcended the capture of any number of merchantmen, and it depended entirely on the issue of peace or war. Instead of war carrying with it no terrors in the case of all great countries with which we had to deal, commercial relations had extended themselves to such a degree that we had in this fact the greatest of all securities against any unnecessary interruption of the peace of the world. But the argument of Lord Palmerston was, that in dealing with small nations we should throw away the means of coercing them into just concessions. But we had still the resource of blockade. When blockade failed to give sufficient protection it was in the case of a large civilized country either having so many ports of its own that we could not establish an effective blockade, or so intersected by railways that we could not prevent the influx of supplies by the ports of a neutral country. But suppose the case of Chili or Peru—if some insult had been offered to the British flag, and it was found necessary to make a demand of just reparation. had we not, by means of blockade and maritime expeditions, all the power in our hands we could possibly wish to have? They had no merchant navy worth speaking of, and therefore any destruction we could inflict on the few merchant ships belonging to them would not be taken for a moment into consideration; but were they not more likely to be cautious in quarrelling with us and resisting our just demands if the principle were admitted which precluded them from attacking a maritime commerce which never had less at any one moment than two hundred millions' worth, ships and cargoes, afloat on the sea? The only other question was as to the fitness of the present time to attempt some move in this direction. It seemed to him the present was a peculiarly fitting time for Her Majesty's Government to direct their earnest attention towards this most important question, because the diplomatic correspondence to which he had referred between our Government and the United States left things, he must say, in a most unsatisfactory and alarming position. If we had no such difficulty with the United States as that which had occurred in connection with the *Alabama*, we might have been content to rest on our oars, to wait the current of events, and see what time would bring about. But was it safe to do this when we had a difficulty of so serious a character raised, a distinct demand made for compensation for damages done to American subjects by vessels which had escaped from our ports, a proposal to refer these claims to arbitration, that proposal rejected on our part, and the affair left in the unsatisfactory condition of a demand distinctly made on one side and as distinctly refused on the other? He did, therefore, urge the Government not to look upon this as a mere legal question. He did not doubt that the Attorney General and the Lord Advocate would give the best legal reasons why things should remain as they were. He called on the Government to take a large and statesmanlike view of the question. He urged them, in the interests of British commerce, of British power, and British honour, to apply their earnest consideration to this question; not to leave it on the unsatisfactory footing on which it now rested, and either to concur in this Motion, or give some distinct intimation that they would take the subject in hand, and do something to rescue us from the unsatisfactory position in which we now were.

VISCOUNT CRANBOURNE: Sir, it seems generally agreed that there would be very small grounds for bringing this question before the House if it were not possible to allege some difference between the practice of capture on land and capture on sea to justify the proposed change. Now all speakers, especially the hon. Member who has just sat down, relied for proof that the private property is spared on land on the statements of distinguished jurists. I have no intention of meeting them on that ground. I have no doubt they could produce a pile of authorities as high as that table from distinguished jurists to prove that property on land is exempt from capture; but when war is raging, when blood is drawn, and passions are let loose, distinguished jurists are not the men that govern mankind. On that subject I shall not appeal to the opinions of distinguished jurists but to the actions of distinguished generals. I ask whether the campaigns of the Emperor Napoleon I. were distinguished by their regard for private property on land. But we are told that although it is only half a century since the great Napoleon carried on his great wars, the human race has advanced, and civilization and public law have advanced with it, and we are for the future to conclude that ambition and passion will be restrained by limits which, in the time of Napoleon I., were inadequate to hold him in. Then, I would appeal next to the history of our own country. The hon. Gentleman will not hear of the Summer Palace at Pekin. He makes great distinction in favour of private property on land, but to the destruction of Imperial property he does not apparently object at all. It is hardly worth while to go deeper into the question; but, as I understand his argument, property in the possession of a person employed by the State, or representing the State, may legitimately, under the existing laws of war, be plundered to any extent. I maintain that the Summer Palace at Pekin was as much the private property of the Emperor as Her Palace at Osborne is the property of the Queen. If what was done at Pekin be legitimate under the improved laws of war, it would be legitimate to plunder Her Majesty's Palace at Osborne. I go a step further. What do the hon. Members think of the Banda and Kirwee property? Either the laws of war do not prevent English soldiers from taking private property on land, or English soldiers are robbers. I leave that dilemma to the hon. Gentleman who support this Motion. We are always told by the same authorities that the most distinguished advocates of humanity and civilization are in the United States of North America; and the last war was fruitful in instances of the mode in which those enlightened apostles of civilization and humanity interpreted the privileges of belligerents. I wish to know whether, in the opinion of Gentlemen opposite, the Federal generals were remarkable for sparing private property on land. Do not let them tell me this is an exception to the rule. There is no international code of laws. International Law is simply the aggregate of the precedents furnished by the action of belligerents, and if any distinguished belligerent adopt a certain course, that *pro tanto* is a change in International Law till it is reversed by some other equally distinguished belligerent. General Sherman's march casts some light on this doctrine. I will read a passage from "The story of the Great March of Sherman." My authority is Brevet Major George Ward Nichols. He writes thus—

> "Atlanta, Night of the 15th November.
>
> "A grand and awful spectacle is presented to the beholder in this beautiful city, now in flames. By order, the chief engineer has destroyed by powder and fire all the storehouses, depôt buildings, and machine shops. The heaven is one expanse of lurid fire; the air is filled with flying, burning cinders; buildings covering two hundred acres are in ruins or in flames; every instant there is

the sharp detonation or the smothered booming sound of exploding shells and powder concealed in the buildings, and then the sparks and flame shoot away up into the black and red roof, scattering cinders far and wide."

He goes on to say—

> "As rumour of the approach of our army reached the frightened inhabitants, frantic efforts were made to conceal not only their personal valuable effects, plate, jewellery, and other rich good, but also articles of food, such as hams, sugar, flour, &c."

Now, I wish to know whether that is private property or not? He says further—

> "A large part of these supplies were carried to the neighbouring swamps; but the favourite method of concealment was the burial of the treasures in the pathways and gardens adjoining the dwelling-houses. Sometimes also the graveyards were selected as the best place of security from the 'Vandal hands' of the invaders. Unfortunately for these people the negroes betrayed them, and in the early part of the march the soldiers learned the secret. It is possible that supplies thus hidden may have escaped the search of our men; but if so, it was not for want of diligent exploration. With untiring zeal the soldiers hunted for concealed treasures. Wherever the army halted, almost every inch of ground in the vicinity of the dwellings was poked with ramrods, pierced with sabres, or upturned with spades. The universal digging was good for the garden land, but its results were distressing to the rebel owners of exhumed property, who saw it rapidly and irretrievably 'confiscated.'"

Is that private property, or is it not? Are soldiers the agents of a public authority, or are they not? These are the actions of General Sherman, the much lauded general, and the great apostle of civilization and of humanity! Again, the writer says—

> "Columbia will have bitter cause to remember the visit of Sherman's army. Even if peace and prosperity soon return to the land, not in this generation nor the next—no, not for a century—can this city or the State recover from the deadly blow which has taken its life. It is not alone in the property that has been destroyed—the buildings, bridges, mills, railroads, material of every description."

I will ask, is that public or private property? I have read these details because, to my surprise, hon. Gentlemen have denied that Sherman destroyed private property. That he did so was perfectly notorious; it was the avowed object of his march to exhaust the enemy by destroying the sources of their provisions, and so prevent the rebel army from meeting the Federal army in the field. You may say that was a legitimate belligerent operation, and I do not profess to deny it; but do you not see that the same plea of exhausting an army and Government will apply as much to the capture of private property at sea as to its capture on land? Wherever you destroy the property of a State, interrupt its trade, and injure its citizens, to that extent you diminish its producing power and its taxable property, you make it less efficient as a belligerent, and you may fairly say that plunder and confiscation have been performed for belligerent purposes. Therefore, unless you can frame a new law in more accurate language than has yet been presented, you will find that that very limitation of destruction for belligerent purposes will cover all the destruction that has taken place. The hon. Member for Wick (Mr. Laing) made rather a parade of the preservation of the privilege of blockade; but I do not think he appreciated the extent to which its preservation will destroy the legislation which he proposes. This question was materially altered by the Conference at Paris. The Conference of Paris passed a resolution to the effect that blockades to be recognized must really prevent access, and we then thought that future blockades would have to be genuine in the strictest sense of the term. During the Civil War in America a nominal blockade was established; it was a question whether England should interfere or not; there were anxious debates in this House, and the Attorney General explained what was really meant by preventing access. I had previously entertained the strongest objection to the Declaration of Paris, thinking that the abdication of our maritime rights was a fatal blow to England's power on the ocean; but when I heard the Attorney General, I said to myself, "Well, at least we are safe, whatever happens in any future war; for there is no congress on earth can draw up a mesh our Attorney General will not be able to get through." In theory the American blockade was complete, although it was practically worthless. The Government adopted the doctrine that if there was a genuine intention to blockade, and if a genuine effort was made to the utmost ability as a belligerent Power, the blockade was to be regarded as effective. I will ask the hon. Member for Wick to apply that doctrine to any future war. Does he not see that the small coast of England will expose it peculiarly to the operation of that doctrine? It will be perfectly easy for any considerable Power to blockade the coast of England quite as efficiently as America blockaded the Confederate States during the late war. It has only to station a sufficient number of ships around the coast; the character of the ships is a matter of no importance. So long as the intention and the effort are complete that suffices. The precedent we have established during the late war will be used against us in future. It is not in the least necessary that the blockading force should maintain its position. That before Charlestown was driven away, and came back, it did not obstruct the entrance to the port; but so long as the intention and effort were complete no objection was raised. [Mr. LAING: In the case of America the Confederate States had not a navy to break the blockade.] That is another important matter. The hon. Member for Wick seems to imagine that if smaller States were at war with this country we should blockade their ports, and thereby injure their commerce, and that their navies would blockade our coasts, and that we should submit to the declaration he proposes, and abstain from harassing their commerce upon the seas. Does he believe that human passions are to be so controlled? Does he believe that, if it were a life and death struggle for the smaller State, it would for a moment regard a mere paper protocol, and, in adherence to any past agreement, abstain from harassing our commerce? That touches really the fundamental objection to the Motion; it attempts to deal with the human passions, in their most excited and violent condition, as it would with the ordinary agreements of a club or with municipal law. The difference between this proposition and that which was carried at the Congress of Paris, is that the proposition for exempting neutral vessels carrying belligerent goods could always be enforced by the neutral Powers themselves. There is somebody interested in enforcing it who is not already committed to the war; but in the other case there is nobody who is interested in enforcing the observance of your rules except the belligerent Power itself, which is already taxing its strength to the utmost. If you choose to break the rule against it, or it chooses to break the rule against you, there is no remedy on either side, because both are already exerting themselves to the utmost. Therefore, you are weaving a mere cobweb for the restraint of the strongest human passions; you are endeavouring to apply laws where they cannot be enforced; and the only result of such legislation will be either to fetter this country in case of war, or to cover it with reproach for unfair dealing if the action of antagonist forces caused it to violate its pledges.

THE O'CONOR DON said, his attention had been particularly drawn to this subject recently, and he had seen much which led him to believe that it was of the utmost importance that something should be done regarding it. He would, in the first place, say a few words on what had fallen from the noble Lord the Member for Stamford. Having but just returned from the late Confederate States, he might say he fully concurred in every statement made with regard to the destruction committed therein. Wherever Sherman went there was great destruction not only of public, but also of private property. But did the noble Lord (Viscount Cranbourne) justify this devastation or declare that the destruction of private property on land without necessity, and without serving any military purpose, was approved by him? ["No!"] The noble Lord said "No!" and yet he maintained that it was perfectly legitimate to destroy private property on sea. If the noble Lord then held that it was perfectly justifiable to seize and destroy private property at sea, though not necessary for the interest of the captor, whilst he considered Sherman's conduct unjustifiable on land, did he not himself draw that distinction which he asked the House to believe had no existence? And now he came to the question proposed by his hon. Friend the Member for Galway (Mr. Gregory). He would endeavour to summarize the arguments on the one side and on the other. His hon. Friend argued first that the British nation, should it become involved in war, would run the greatest risk of injury, inasmuch as it had such a large amount of private property at sea. In the next place, that the naval resources of the country would be injured, because, the navy being largely recruited from the merchant service, anything that injured the latter would injure the former, and therefore the maritime superiority of England would suffer. And lastly, that by the Declaration of Paris, whilst the risk to our commerce remained the same, we had lost many of the means we had for crippling the resources of the enemy, and, although we retained all the disadvantages, we had none of the advantages we possessed before. The Lord Advocate, on the other hand, while admitting to a great extent the force of these arguments, held that it was necessary we should run the risk in order to uphold the supremacy of England. But what was meant by this supremacy? If Great Britain could clear the ocean completely of every hostile ship, and thereby secure perfect safety to its own commerce, our superiority would be of great advantage, and we ought to think seriously before we endangered it. But that was not what was meant by our naval superiority. All that it meant now was, that we had a fleet which would beat any other fleet that might be brought against us. But this mere superiority in action availed not to protect commerce, as effectually as the Treaty of Paris caused it to be protected in neutral bottoms, hence maritime superiority would not suffice to keep our merchant ships on the sea. We all knew from the example of the late American war that the liability to capture had almost as great a power in driving ships from the ocean as capture itself. Was there any great maritime nation in Europe with so insignificant a fleet compared with Great Britain's as the fleet of the Confederate States contrasted with that of the United States? And yet, with that small and insignificant fleet, the Confederates were able to do almost infinite injury to the trade of the United States. If that were the case, in what consisted the advantage of our great naval superiority? We might beat all the fleets in the world when we engaged them in battle, but that would not enable us to send our ships on the ocean without risk. Neutral nations would be able to do so, by the principles of the Conference of Paris they could not be touched, and to them all the carrying trade of the world would pass. Five, ten, or fifteen hostile vessels would endanger our ships, and the risk of danger would practically drive commerce from them. He had mentioned before that he had lately returned from the United States; and he could assure the House that, independently of the sense of injury to their pockets, Americans entertained a strong feeling of animosity against this country, because they considered Englishmen, on the one hand, the originators of the evils they had suffered, and on the other the chief gainers by their loss. It was but a few days since he travelled with a merchant from Boston, and he said that they were very glad that the British Government had not acceded to the demand for compensation for the depredations committed by the *Alabama*, the *Shenandoah*, the *Florida*, and other vessels. And they were glad, because if the compensation had been given it would have deprived them of what they consider the right of retaliation, whilst the money would have gone into the American Treasury, in all probability, instead of into the pockets of the owners of the ships that had been destroyed. For who were the losers by the depredations? Not the individuals who lost the ships, for they were insured. Not the insurance offices, for they were recouped by increased premiums. Who, then, were the losers? The general body of American merchants. "I did not lose a single ship," said the Boston gentleman, "but I had ships in American and Chinese ports thrown idle on my hands and not able to get a cargo. But the British Government refused to pay, and the consequence will be that if war breaks out between England and any other Power, the ocean will swarm with privateers, and then English ships will be lying idle in the harbours, while American ships will carry the commerce of the world." Such was the feeling very general in America; and, in spite of the good wishes of the American Government, he could not look forward to a war between England and the most insignificant Power without grave apprehensions. He supported the Motion then, as one way of getting out of the difficulty in which we were placed. He supported it also on another ground. The whole condition of International Law at present was most unsatisfactory. It could hardly be called "law;" it was only international custom, resting on no fixed basis, varying with every nation to which it was applied. Hence constant disputes arose as to its obligations, but of all these disputes the most perplexing were those as to the duties of neutrals towards belligerents in preventing the departure of hostile privateers from their ports. Nothing was more dangerous than these disputes, tending as they did to drag neutrals into the conflict, or to engender bitter feelings likely to lead to future wars. Protect private property at sea and all this ceased. The use for privateers being gone their employment would cease, and this prolific source of dispute and future war would be dried up. We had gone so far by the arrangements of the Conference of Paris, that we must either proceed onward or retrace our steps. He did not believe we could do the latter, and therefore urged the adoption of the Motion of the hon. Member for Galway.

THE ATTORNEY GENERAL: Sir, in addressing myself to this question, I hope that I may avoid exposing myself to the censure of the hon. Member for Wick (Mr. Laing), who complains that my profession deal with such subjects only on legal grounds. It appears to me that there is not much necessity for using legal arguments in this discussion, and that very few points of law are involved in the question before the House. But while there are few legal considerations involved in the question, there are many important considerations of public policy, and to these I shall endeavour to address myself. Much has been said to-night as to the practices adopted in warfare by land. The first observation I will make on that subject is, that if the House were to adopt the Motion of my hon. Friend (Mr. Gregory) they would be laying down a rule to regulate naval warfare which does not, and never did, exist with regard to military operations on land. The hon. Gentleman's Resolution proposes the adoption of the principle that private property shall be free from capture at sea. I undertake to say that there is no rule of that nature regulating military warfare. The rules which regulate warfare by land, whose existence and value I am far from denying, do not rest on any laws or conventions, they rest solely on the moral sense and public opinion of nations, and they are necessarily of a flexible, variable, and indeterminate character. The case of the Danish claims has been alluded to to-night. In that case lawyers fairly and justly laid down the principle that it is contrary to general International usage, if not Law, that, when two Powers are at war, one of those Powers should confiscate the private property of the subjects of the other which happened to be on land, or due in the shape of debts from private individuals, within the dominions of the hostile Power at the time of the breaking out of the war. I ask the House to observe that such a confiscation takes place, not as an operation of war, not in the course of actual hostilities, but it is merely a seizure of private property by the civil authorities ; and this private property, it must be remembered, is only found in the country where it is seized, because its owners relied, during the previous peace, upon the established rules of good faith and amity prevailing among nations. The case of property seized during war by the forces which are engaged in carrying on the war, and within the theatre of warlike operations, depends upon different principles. With reference to warlike operations on land, I hold that it is a scandalous outrage on the moral sense of nations when wanton mischief is committed, when acts are performed which inflict cruel injury on innocent persons without being reasonably necessary or done *bonâ fide* for the purposes of war. I agree fully with the Lord Advocate, who has said that the only principle which could be laid down on this subject is, that the public sense of mankind reprobates and will not justify any excess or abuse of power by persons conducting military operations by land, in which the mischief done to individuals is out of proportion to any legitimate object which could be sought in the prosecution and for the purpose of the war. The House will see that the duty of committing no unnecessary outrages imposed on commanders of military forces is not laid down by any convention, but is simply one of an undefined character to be judged by the general moral sense of nations. The law which the hon. Gentleman (Mr. Gregory) seeks to have passed is, on the other hand, absolute, inflexible, and fixed. Some other distinctions must not be lost sight of in order to appreciate the relative bearings of naval and military practice. One great reason why the commander of a land force endeavours to perform his military operations with as little injury as possible to the people of a country is that it is his interest to do so. If he allowed his soldiers to commit excesses he would find it impossible to maintain the discipline of his army ; and, again, he could not with safety arouse the anger of the entire population among whom he was carrying on his operations, and on whom he depended for supplies. When wars also are waged by land, the inhabitants of the country in which the war is carried on are generally peaceable persons unable to withdraw themselves, their property, or their families, from the scene of the war. But our ships have no fixed homes, and the course of our shipping trade is not a matter of local and indispensable necessity, but depends upon the varied occupations and exigencies of mankind. It is a course of trade which may be intercepted, diverted, and interfered with, and which follows laws entirely different from those which determine the domestic avocations and the fixed and permanent and settled interests of men on land. Accordingly, you have a different practice at sea, and the establishment of that practice modifies in a most material degree the conditions of the trade itself. The risk is insured against, and as the hon. Member who spoke last, in his able speech, said, the persons whose ships were taken during the late war in America were not the persons on whom the loss actually fell. They insured their vessels, and the insurers again were not the persons who ultimately felt the loss, which in fact was distributed generally over the world or over the commercial and shipping interests of that country. That is a very different state of things from one which would inflict upon private individuals a total loss of their property or their lives; and these risks being understood, and in their nature avoidable by a diversion of the course of trade, and being also capable of being insured against, they ultimately converge on the common and public interest much more than they affect the private interests of individuals. It must, too, have struck everyone who has listened to this debate that the general course of the argument to-night has been divergent from the principle which is stated in the Motion before the House. The forcible arguments which we have heard urged over and over again, and which are entitled to careful consideration, are founded upon an interference with national trade, with the great public and national interests of shipping and commerce, and not by any means on the injurious effect in a peculiar and oppressive degree to particular private individuals of this system of naval warfare. I agree that those are very important interests, and that the arguments connected with them deserve serious attention; but they remove the question very much out of the category of private and individual property, and take it into the larger region of public and national interests. And now I come to consider particularly the case with regard to naval warfare, and here again the question is immediately raised, "What is a belligerent operation by sea?" What are, in point of fact, according to the practice of nations, naval belligerent operations? I take it that one object of such operations is the invasion or capture of territory. That is an object which, under many circumstances of warfare and in many wars, may not be attainable by the use of naval means. Of course, great battles also might have to be fought between the contending fleets of different countries; but it might not be the policy of the enemy to fight such battles; and, if not, what else remains for our maritime Power to do? There are two things, and two things only. First of all, you may establish blockades, and in the second place you may operate against the general public and national resources of your enemy. I say that this particular practice of capturing merchant vessels is a belligerent operation systematically aimed against the general public and national resources of the enemy; and the object of the argument which I have offered to the House is to show that the loss falls, on the whole, on the national interests and the general commercial interests of the country, rather than on individuals. The hon. Member for Galway (Mr. Gregory), in introducing this question, said, he would rather not mix it up with the question of blockade, and the hon. Member for the Wick Burghs (Mr. Laing) said he by no means intended to dispute or bring into question the right of blockade. I must say, however, that the hon. Gentleman opposite the Member for Northumberland (Mr. Liddell) was candid upon that point, for he frankly admitted that his arguments had as strong a tendency against what he called commercial blockades as against the practice of capturing merchant vessels. And it is impossible for the House to evade the consideration of the question, Whether the same principles do or do not strike at that class of blockades? I say that class of blockades, because I do not forget that there is a more limited species of blockade which might be used under particular circumstances, the sole object of which is to effect the capture of a particular place. Now, I venture to say that the great use of blockades in modern warfare has been the weakening of the public and national resources of our enemy. Everybody will bear in mind the last example of a commercial blockade, as to which I differ from the noble Lord the Member for Stamford (Viscount Cranbourne), for I do not admit that it was so inefficient as he supposes. On the contrary, I think there have been few more efficient blockades in the world than the late blockade by the United States of America. However that may have been, whether it was as efficient as it ought to have been, or whether it was inefficient, one thing is perfectly certain—namely, that it was a most powerful instrument in bringing that war to its conclusion, and in facilitating the conquest of the Confederate States. Indeed, I doubt whether any man could take it upon himself to say that, if that blockade had not been established and maintained, the fortunes of the war might not have been entirely altered. Therefore, we see what a powerful instrument of conquest, and what a powerful instrument for the restoration of peace, a commercial blockade can be. Now, let us see whether its relation to private interests is not of the same kind as that of the system of warfare against which this Motion is directed. Does it not stop and interfere with all the individual traders and all the trade of which the blockaded ports are the centre? Does it not interfere with a great number of private interests? Could anything be more alarming than the effect the American blockade originally had upon the manufacturing interests in this country, and upon the trade on which great masses of our people are dependent for the means of support and livelihood? I do not think, if you look to the question of trading and commercial interests, and the private suffering caused by any interference with them, you can well imagine any more extensive and serious interference than is involved in a blockade of this description. If, through respect for the interests of trade, or of private persons engaged in trade, you are not to continue the practice of maritime capture, I do not see how on the same principles you can refuse to yield to the opinion of those jurists who say that commercial blockades should also be put an end to. The truth is, that both these kinds of operations are alike directed and aimed against the national and public resources of the enemy, and if you drive all the enemy's ships from the sea, I say you put upon him a pressure of a very serious kind, and contribute greatly to the success of your belligerent operations. But I have some further observations to make in connection with this subject. You cannot find a safe line of distinction between the mercantile marine and the navy. The two run into each other in respect to their uses in such a way that if you were to give an absolute immunity from capture to the mercantile marine in your enemy's hands, it would be impossible to say what important uses that privilege might not be turned to in direct connection with war. Our merchant ships have now attained the largest dimensions, and many of them are easily convertible into formidable ships of war. I was made only too well aware of that fact during the continuance of the war in America. Numerous reports were made to the Government respecting vessels which were suspected to be fitted out with a view to warlike operations in the service of the Confederate States. Two of the vessels thus reported did afterwards carry on warlike operations, but others, it ultimately turned out, were not so employed. The fact was, they were constructed in such a manner that the most scientific men could not always tell absolutely whether they were adapted and designed for a peaceful or for a warlike purpose. Many powerful vessels built for a peaceful purpose may with great ease and facility be adapted for a hostile one, so that with a very large mercantile marine growing up during a war it is impossible to say how it might be brought to bear directly upon the war. Such vessels may be used not only for fighting, but as transports or storeships, and for conveying arms, supplies of all descriptions, money, and provisions from one place to another, and for all these purposes ships of this description may be directly subsidiary to the carrying on of a war. And then as to seamen. It is impossible not to observe that merchant seamen may be at any time made available for war purposes. It is quite impossible not to perceive that the greatest risk is run by allowing a great navy of that description, belonging to your enemy, to grow up during war and flourish around you. The next question is, If you establish a rule of this kind how will it work? Can you establish it universally? If you establish it universally no doubt you have a much stronger guarantee for its observance than if you establish it only partially. If, on the other hand, you establish it partially some nations will be bound by it, and others will not. There will be the greatest difficulty in securing its observance. It must depend entirely on the accidents of war. But I will assume—and I am probably not assuming too much—that if it rested on international compact we might reckon on a sincere disposition and intention to observe it on the part of all the parties to that compact. Of one thing I am quite certain—that if we made a compact of that kind we should endeavour to observe it, and I am willing to believe the same thing of other countries. It must, nevertheless, be remembered, that if it were broken the breach of compact would be cloaked with all sorts of excuses and professions of good faith. Exclusive of all false pretences, there are strong reasons for believing that it would be difficult to work out such a rule without continually involving suspicions that it was not observed, and the moment that idea was entertained retaliation would take place and the rule would be liable to be set aside. No one says that the principle and practice of the right of search would be given up. I take it for granted that my hon. Friend intends to except the carriage of contraband of war, although he has not expressed the exception in the terms of his Motion. It is perfectly clear that if the right of blockade is allowed, if contraband of war is not to be admitted, if private property alone is to be respected, there will be a multitude of grounds on which ships may and will be taken. They will be visited; they will be searched; and if at any time it is suspected that a ship engaged in commerce is herself public property, or is conveying public property belonging to a belligerent State, it will be seized. If it is believed to be engaged in any enterprize connected with blockade running, it will be seized. If it convey contraband of war it will be seized. But, then, who is to be the judge? In the case of neutrals, they may be brought to the test of a Prize Court. But here the seizure will be on suspicion, and being of an enemy's ship it will not, according to the present rules of Maritime Law, be necessary to bring it into a Prize Court. And, if it is brought in for condemnation, the enemy will have no *locus standi* in the Prize Court. If, however, this were otherwise, you would not have your enemy appearing in a Prize Court under circumstances that would give him a fair chance of success. If the Prize Court should determine that the suspicion is well founded, and that the condemnation is proper, it is plain that the power is in the hands of the belligerent of practically condemning, upon mere suspicion, any number of the ships of the enemy. Nor is it necessary to suppose that this suspicion is fraudulent and false. During the late war in America a considerable number of our ships were seized, and honestly seized, upon suspicion, which did not prove to be fit subjects of condemnation. Many others were condemned on grounds of which the sufficiency was doubtful. We were neutrals in that war, but when dealing with the enemy it is plain that all is left to the discretion and good faith of the cruisers of the belligerents, who will be as much as ever on the look out for ships of this description, and who, when dealing with enemy's ships, will be subject to no real and practical check or supervision. What will be the result? The enemy will say, "You profess to observe this rule and do not observe it; you seize my ships when they are private property, when they are not blockade running, when they are not carrying contraband of war. But I have no protection, no check, no real *locus standi* in your courts. You are setting aside the rule, and if you do so I shall do the like." So that the rule will be called in question and practically set aside, even although it may have been the real intention at the beginning to observe it with good faith. In the case of neutrals you might say that contraband is not going to the enemy; although it may be going to the country from which it will afterwards make its way to them. You do not seize that. You do not seize officers such as those who were on board the *Trent.* All this in the case of neutrals is the subject of known International Law, the limits of which are defined, and the proper Prize Court enforces and asserts them. But it would be impossible to apply to the enemy all the limitations that apply to neutrals. I therefore think the proposed rule would be one very difficult of observance, constantly provoking imputations of bad faith, leading to acts of retaliation, and that it would be practically set aside. But let me suppose for a moment that the rule could be strictly observed. I hope that so great a calamity is not likely to happen, but we may imagine the case of a war with the United States. Of course, if such a calamity should happen we must provide for an invasion of our possessions in North America, accomplished by military means, and not having much to do with naval operations. What would be our means of defence? We must mainly rely upon our maritime means and power, because the carrying on a great system of military operations in America, although I would not say it is impossible, would be exceedingly difficult. Naval operations would at once suggest themselves as the most suitable for us in such a war. We could scarcely attempt to blockade and seal up the whole sea-board of the United States. On the other hand, to capture and take the great cities on the coast it would be necessary to bring to bear a force adequate to meet and repel all the defences with which those ports would be provided, and that might turn out to be impracticable. But there is no doubt, that whatever injury they might be capable of inflicting upon us, as maritime warfare is now conducted, it would be no light matter to the United States or any other nation, that we should be able to inflict heavy blows upon their trade and commerce, and that we should be in a situation, as an hon. Gentleman has said, to drive their maritime commerce from the seas. No doubt—even if the same thing were done to ourselves—that would amount to a very serious pressure upon the resources of that country. Can it be denied that if we abandon the possibility of using that arm under such circumstances it would be diminishing our power of action in such a war? I now come to consider on the other side what are the practical reasons given for this change. I must first observe that it is said to be the natural result of the Declaration of Paris; but that was only a concession to neutrals when they carried enemy's property, and it was not intended that an enemy's property should be safe in an enemy's ships. That is a very different thing, and no one can say that, because we do the one we must logically proceed to do the other. But it is said that, practically, the enemy is now able to send his property in neutral ships. If so, that tends, as far as it goes, to effect the object of my hon. Friend, because so far private property is withdrawn from liability to capture, so far it finds a channel to escape capture. But then it is said, what, under such circumstances, is the use of keeping up this mode of warfare? I say if it drives an enemy's ships from the sea it obviates all the danger that may arise from the growth of a powerful mercantile marine, and nobody can deny that such a diversion of the trade of the enemy into neutral ships is a most serious evil, and a great pressure upon the resources of a country. That is the very point of the argument as to what we should ourselves suffer. It is true it is a serious mischief to ourselves if our trade is forced to go by neutral ships, but in the like case the pressure upon the enemy is serious also. There can be no doubt that the Declaration of Paris has not deprived us of a powerful arm against an enemy, even although we may have to wield it at the price of some suffering to ourselves. It seems to me that it reduces itself, as far as that is concerned, to a question of the balance of advantage and disadvantage; whether, on the one hand, you will cripple your warlike power in time of war, or whether, on the other hand, you will submit to a temporary, though it may be a serious interference with your commercial and trading operations during the continuance of the war? I shall have something to say on that point before I conclude. I will next advert to the other reasons given why we should particularly dread these evils at the present time. Reference has been made to what has been spoken of as the great *Alabama* precedent, to the state of opinion which is said to exist in the United States, and the consequence which it is supposed might result to ourselves, in the event of our being engaged in any future war, from those circumstances. Sir, being perfectly assured and confident, as a matter of fact and of truth, that the Government of this country, during the war in America, honestly endeavoured to prevent these ships from being fitted out in our ports and going forth to prey upon American commerce—being assured also that we in the great proportion of instances succeeded in preventing it, and that the cases of ships which have, notwithstanding this, gone from our ports under circumstances in which we might have expected to be able to prevent their doing so have been very few and rare—knowing this to be the fact and the truth, and believing that the time will come when we shall see it acknowledged by men of candid minds in the United States, I am not in the least afraid that that country will be drawn into a course of dishonour and injustice by any indignation or desire of taking revenge against us. Are the United States at the present moment acting otherwise than in honour and in good faith upon their own laws with respect to the ships which are supposed to be fitting out for Chili and Peru? Are they not putting those laws honestly in force? We know that in their past history, as in our own, there have been many instances in which they were unable to detect persons who were trying to evade their laws and to punish them, or to prevent the evasion. That they have endeavoured to execute those laws in good faith we know, and that they are endeavouring to do so in good faith now we know; and nothing shall induce me to believe that because there have been citizens of this nation who endeavoured to assist the Confederate States in the fitting out of ships intended to operate against the United States, and because that was done in some instances and our Government were unable in some few cases to prevent it, that therefore the Government of the United States will act with bad faith to ourselves hereafter if a war should break out. We only expect to receive from them that which we ourselves have done to them—that they will endeavour honestly to put their laws in force if such circumstances should arise; and if in any particular case they should fail to do so and we are satisfied of their good faith, we certainly should not regard that as a ground for national ill-will or resentment. We have a right to rely on their endeavouring to do by us what we have endeavoured to do by them, and we are not afraid of any few casual failures which possibly might not be prevented in their case, as some few casual failures could not be prevented in our own. Therefore, I do not dread this great *Alabama* precedent, as it has been called. Such a fear appears to me to impute dishonour, most unjustly, to the Government of the United States. If the House will permit me, I wish to notice the allusion, and more than allusion, which was made by the hon. Member for Finsbury (Mr. M'Cullagh Torrens) to a statement of mine made in this House not long since. It is quite necessary that I should do so. In the first place, the hon. Gentleman understood me to say what I did not say, or certainly, what I did not mean to say—that the real obstacle to a re-adjustment or amendment of our Foreign Enlistment Act had proceeded from the United States. I must have been very much misunderstood if I was supposed to have made such a statement. There were many obstacles to it. One was, that without experience of that law we could not sufficiently know what were its weak points. Another was, that we had had no experience of that law before the commencement of the war; and a third was, that there were grave reasons to doubt whether we should be able to satisfy the House of Commons before we had a complete trial of the efficacy of that law, before it had been proved to be inefficacious, that it would be proper to enter into any new legislation on the subject. What I believe I did say, and what has been misunderstood by the hon. Member, was this: I used an expression that may have been unfortunate — certainly it was so if it has given any one offence, although it was merely intended to convey my impression of a matter of fact—namely, that the United States, so far from being urgent upon us to alter our Foreign Enlistment Act, had "thrown cold water" upon the proposition which came from our Government, that both countries should concert a simultaneous Amendment of the Foreign Enlistment Act of each. If the expression that I used gave offence to anybody I am sorry for it, and I withdraw it for that reason; but the fact is, as I understood it, that to that overture from our Government a cold and discouraging answer was returned upon the essential point, whether the Government of the United States did or did not regard their law as imperfect for its purpose, so as to require amendment. We being satisfied that our law, which had not been tried, was as sufficient for its object as theirs, which had been tried and which in some instances had failed, the very expression of an opinion on their part, in answer to such an overture, that they deemed their own law perfectly effective, and did not think that it wanted any amendment—although they certainly received with the utmost courtesy our proposal, and said they were prepared at our instance to enter into the consideration of the subject, did not hold out much encouragement to us to attempt any alteration. Believing that that statement was made to Her Majesty's Government with entire sincerity, as it certainly was made with perfect courtesy, we were justified in thinking that we might rely on the sufficiency of our own law for its purpose. If the House will allow me in a matter of this importance, on which I am anxious that the real facts should be understood, I will place before it the precise facts, that the House may judge for itself whether or not I was wrong in what I said. I spoke from memory, and was a little in error as to the exact time at which the overture was made. It took place, in fact, after the *Alabama* left this country, and not before that event; and it arose out of one of the earliest communications between Lord Russell and Mr. Adams on the subject of the *Alabama*. These were the very terms of Lord Russell's overture to Mr. Adams on the 19th of December, 1862—

> "As regards your demand for a more effective prevention for the future of the fitting out of such vessels in British ports, I have the honour to inform you that Her Majesty's Government, after consultation with the Law Officers of the Crown, are of opinion that certain amendments might be introduced into the Foreign Enlistment Act, which, if sanctioned by Parliament, would have the effect of giving greater power to the Executive to prevent the construction, in British ports, of ships destined for the use of belligerents. But Her Majesty's Government consider that before submitting any proposals of that sort to Parliament it would be desirable that they should previously communicate with the Government of the United States and ascertain whether that Government is willing to make similar alterations in its own Foreign Enlistment Act, and that the amendments, like the original statutes, should, as it were, proceed *pari passu* in both countries. I shall accordingly be ready to confer at any time

> with you, and to listen to any suggestions which you [that is Mr. Adams] may have to make, by which the British Foreign Enlistment Act and the corresponding statute of the United States may be made more efficient for their purpose."

That was of course communicated by Mr. Adams to the Government of the United States. The hon. Member for Finsbury (Mr. M'Cullagh Torrens) has referred to a despatch of Mr. Seward to Mr. Adams, dated 19th January, 1863, which, as far as my knowledge goes, never was communicated in its terms to the Government of this country, but which was made public a year afterwards, in 1864, in the papers laid before the American Congress. Therefore, the language of that despatch could not possibly have tended to modify or influence the effect of the communication which was actually made. What was the communication that was actually made? Lord Russell, writing to Lord Lyons on the 14th of February, 1863, reported the conversation he had had with Mr. Adams in these terms—

> "On a second point, however—namely, whether the law with respect to equipment of vessels for hostile purposes might be improved, Mr. Adams said 'that his Government were ready to listen to any propositions Her Majesty's Government had to make; but they did not see how their law on this subject could be improved.' I said that the Cabinet had come to a similar conclusion; so that no further proceedings need be taken at present on this subject."—[North American Papers, 1863 (No. 3), p. 48.]

What was Mr. Adams' report of that conversation given in his despatch to Mr. Seward, dated the 13th of February, 1863? Mr. Adams wrote—

> "I observed that his Lordship's suggestion of possible amendments to the enlistment laws, in order to make them more effective, had been favourably received. Although the law of the United States was considered as of very sufficient vigour, the Government were not unwilling to consider propositions to improve upon it. To that end I had been directed to ask whether any such had yet been matured by Her Majesty's Ministers; if so, I should be happy to receive and to transmit them to Washington. His Lordship, repeating my remark, that my Government considered its present enlistment law as sufficiently effective, then added, that since his note was written the subject had been considered in the Cabinet, and the Lord Chancellor had expressed the same opinion of the British law. Under these circumstances, he did not see that he could have any change to propose. I replied that I should report this answer to my Government."

Lord Russell must naturally have felt that the statement made of the opinion entertained at Washington as to the efficiency of the American law was really meant to imply that no suggestions of that kind for its amendment were to be expected from the United States Government; and that circumstance made it exceedingly uncertain whether, if we entered upon the delicate and difficult business of suggesting such alterations, we should not be committing ourselves to propose alterations in our own law, although we might fail to get any assurance that similar alterations would be proposed in the American law — and this although the Lord Chancellor had advised the Cabinet that our law, as it was, would be found equal to its intended purpose. On the 2nd of March, 1865, Mr. Seward wrote to Mr. Adams thus—

> "Your despatch of the 13th of February has been received. It informs us that, on a re-examination of the subject, Her Majesty's Government have come to a conclusion that the present Enlistment Law of Great Britain is sufficient without amendments, and that, therefore, they have none to propose. It remains for this Government, therefore, only to say that it will be your duty to urge upon Her Majesty's Government the desire and expectation of the President that henceforward Her Majesty's Government will take the necessary measures to enforce the execution of the law as faithfully as this Government has executed the corresponding statutes of the United States."

The House will see that, so far from expressing surprise or disappointment that the proposal was not persevered in, Mr. Seward referred to the manner in which the corresponding statutes of the United States were executed, and required nothing more from us than an honest execution of our own laws. I allude to this to show what took place in perfect good faith; it necessarily left on Her Majesty's Government the impression that the Government of the United States saw no occasion for an alteration in their law. I am glad, however, to hear to-night that after what has taken place it is thought there may be a disposition on the part of the Government of the United States to make some alteration in their law. The question is an important one, and one deserving of attentive consideration; but whether any alteration be made or not I think we should not be afraid that any danger can arise to us, if the Government of the United States execute their laws in our favour as honestly as we have endeavoured to execute ours in favour of them. I have already detained the House so long that I am anxious to compress within the smallest compass what I have yet to say. I will not repeat the argument I used four years ago on the subject of making war a duel between Governments, and separating the people from their Governments. I believe that such a mode of carrying on war would interfere with the national life and the patriotic feeling of countries, and would be far more mischievous to nations than any consequences of the present system of warfare. We have to consider the matter in this way — Does the present system afford us valuable means of carrying on war when war is necessary? Shall we or not pay the price—it may be an interference with our commerce, it may be a serious interruption of our trade—or shall we surrender these means and thereby cast away a part of our power in war? I say if we are engaged in war, let us go into it in good earnest; let us make success in the war, while it lasts, our principal object; let us avail ourselves of all the usages of fair warfare; above all, let us not impose fetters upon ourselves on that ocean where hitherto we have been supreme. If we look to the interests of peace, have we not been told over and over again that commerce is the great antidote to war; that increasing commerce renders war less likely; that France is growing in prosperity, and, therefore, will be less disposed to make war? And is it not perceived that all those arguments have a direct bearing against the proposition now before the House; because by that strong, inevitable, invaluable power of commerce, do you not bring a weight to bear against war — do you not bring a check against war in the first instance? Again, do you not introduce an element that tends to the restoration of peace when in time of war the strength of a belligerent Power is brought to bear against commerce and against maritime trade? In this way commerce works as an antidote to war. That hitherto has been its influence in respect of war. And nothing which has hitherto happened in war need lead us to think—whatever may be alleged in these piping times of peace — whatever chambers of commerce may now say—that the commercial interests would not be in times of war ready to bear their share of the risk; that they would not be prepared to look the evil in the face; that, whether by putting their ships into neutral hands, or by other means, they would not accommodate their operations to the exigency of the time, and use their best endeavours to assist their country in upholding the national honour; relying on the same moral and material resources which have made her great, and have always hitherto enabled her to rebound from the pressure when war is over. Can any one doubt that this would again be the case? To quote the words of the hon. Member for Finsbury, We hear alarming predictions of ruin, if things remain as they are. I do not believe in the prophecy of ruin if things remain as they are. We shall only be suffering what we did without ruin before. There may be a temporary depression of trade; but depend upon it, when the war is over our trade and resources will recover their accustomed elasticity and vigour; and our ships, like the ships of the United States, which were said to be driven from every sea, will re-appear and come back to their own country. The truth is, mercantile men know how to deal with these things, and they do deal with them. It is not the experience of mankind, though predicted over and over again, that ruin will come from such causes. If opinion is really advancing in the direction of a change such as that now proposed, then opinion in this, as in all other matters, will ultimately prevail. I have no doubt that if it does prevail, it will be proved to be right by prevailing. But the opinion to which I refer must not be confounded with the opinions of those who have interests different from our own—of those to whom it might be of no small value and importance to induce this country to take steps which would depress the power of the naval element and exalt that of military operations. Our power must depend mainly on the naval element; the power of other nations depends more on military operations. If changes of this kind be advocated by nations whose strength lies in military operations, we must inquire into the motive which prompts the proposal. Such changes must be recommended by a general and sound public opinion—recommended by the common sense of mankind —before we can adopt them. If they come to us recommended by the opinion of the Emperor Napoleon I., as quoted by my hon. Friend the Member for Galway, or the opinion of French theorists, who would abolish all naval rights which are not of paramount value to a great military nation, we must be careful how we confound that with sound public opinion. I have the utmost faith in sound public opinion, and am prepared to bow to it on all occasions; but if public opinion should eventually decline to recommend the adoption of the proposition of my hon. Friend, I still feel sure that England will not be ruined, and that she will retain, notwithstanding, her mercantile prosperity and her national greatness.

Mr. OLIPHANT moved the adjournment of the debate.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Oliphant.*)

The CHANCELLOR of the EXCHEQUER: I should hope, Sir, that the debate on this question, which has been very fully discussed, will be closed this evening. A House more interested in a subject I have never seen; and I am sure if the hon. Gentleman is now disposed to give us the advantage of his opinions, the House will be ready to listen to him.

Mr. OLIPHANT said, he felt relieved by the speech of the Attorney General. No one who was wavering before it was delivered would now go into the lobby against the Motion of the hon. Member for Galway (Mr. Gregory). Up to the time when the Attorney General rose no speech had been delivered in opposition to the Motion which really deserved an answer. The noble Lord the Member for Stamford (Viscount Cranbourne) argued that because General Sherman had burnt some houses at Atlanta we were to be bound for ever to the present system of maritime warfare. The Lord Advocate argued that because our commerce was more extended than before we were now in a better position to attack other people, while the Attorney General had put forward nothing in defence of the existing Neutrality Laws which he could not have urged with greater force had he been Attorney General of Greece or of the smallest Power in Europe. Of course, the wish of a small maritime Power would be to prey upon the resources of a greater Power if it was unfortunately involved with it in war. The effect of the Motion, if carried, would be to maintain rather than to impair our maritime supremacy. At present, if we were at war with any Power, however small, our whole navy would be occupied all over the world in protecting our commerce, and we should have no ships to spare to meet those of our adversaries. There could be no question that strategically our maritime position would be materially strengthened by such a change in the law. As to the question of blockade, there was no reason to suppose that we should be in a worse position to maintain a blockade if the principle of respecting private property were adopted than we were at present. The only really serious difficulty raised throughout the debate was that alluded to by the Attorney General relating to the right of search. The only way that could be met would be by the establishment in time of war of Prize Courts in the territories of neutrals. Meantime, our own blue books furnished foreign nations in all time to come with precedents which would enable them to equip and arm cruizers under the enemy's flag in neutral seas, and burn our merchantmen without taking them into a Prize Court at all. No one could deny that as long as these important questions remained on their present unsatisfactory footing, and the temper of the American people was uncertain, a serious and grave responsibility rested upon the shoulders of Her Majesty's Government. It would be no satisfaction, if at any future time we found ourselves involved in war, to be told that we had the best of the legal arguments in the correspondence out of which it sprung. That was the best diplomacy and the wisest policy which, when the end achieved had been gained, could then look back and challenge criticism as to the means that had been employed and the arguments that had been used; but no amount of law or of logic would be found in the long run to excuse a diplomacy which had proved futile, or to justify a policy which had ended in disaster.

Mr. GREGORY said, he was unwilling to expose the majority of the occupants of the Treasury Bench, whose opinions were really in his favour, to the necessity of voting against their convictions, and he would therefore withdraw the Amendment.

Motion and Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

COUNTY COURTS BILL.

LEAVE. FIRST READING.

Mr. CHILDERS moved for leave to bring in a Bill for the abolition of the office of Treasurer and of High Bailiff of County Courts as vacancies shall occur, and to provide for the payment of future Registrars of

County Courts. He said, that when the County Courts were first established there were certain officers called registrars in connection with the old Courts of Requests then superseded, and that in order to avoid the payment of compensation it was determined that the office should be continued. The system had reference to a state of things which did not exist at present, and it was deemed advisable, instead of having those separate treasurers, to have the balances paid into the account of the Paymaster General in London, the accounts to be audited by officers appointed by the Treasury. The proposed plan would, he thought, be more satisfactory, not only in relation to the better mode of audit, but also because it would be productive of considerable economy, inasmuch as the whole of the salaries of the registrars, amounting to £20,000 a year, would be saved. There were, he might add, in the Court of Requests, officers called high bailiffs, for whom, when the Bill establishing County Courts was first introduced, no provision was made, but whose services were continued owing to an Amendment inserted in the Bill in Committee. It was, however, proposed by the present Bill to get rid of these officers also, calling the registrars to perform their duty on the condition of receiving some additional allowance. As the Bill would only come into operation as vacancies occurred, an excellent opportunity would be afforded of testing its operation. On the second reading of the Bill he would be prepared to enter more into detail.

Motion *agreed to.*

Bill for the Abolition of the offices of Treasurer and of High Bailiff of County Courts, as vacancies shall occur, and to provide for the payment of future Registrars of County Courts, *ordered* to be brought in by Mr. CHILDERS, Mr. CHANCELLOR of the EXCHEQUER, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 47.]

EXCHEQUER BILLS AND BONDS BILL.

LEAVE. FIRST READING.

THE CHANCELLOR OF THE EXCHEQUER moved for leave to consolidate and amend the several laws regulating the preparation, issue, and payment of Exchequer Bills and Bonds. He said that about four years ago an Act was passed through Parliament introducing a very considerable alteration into the laws with respect to Exchequer Bills. There was, however, one important part of the subject which was not then dealt with. The manufacture of Exchequer Bills had up to the present time been conducted under the immediate superintendence of the Exchequer Office, but upon the retirement of Lord Monteagle and the reconstitution of the Department, the question arose, where it was desirable that the manufacture should be carried on? There was, he thought, no question whatever that the Bank of England was incomparably superior to any other establishment in the preparation of instruments of credit, not only on account of the facilities and the security which it afforded, but also because of its long practice in the manufacture of bank notes, which were supposed to be the most perfect pieces of workmanship in the world. Exchequer Bonds and Exchequer Bills, considered with regard to the paper of which they consisted, were strictly analogous to bank notes. It was highly desirable also that the Government should have only one agent for the purpose of such a manufacture, and that that agent should be the Bank of England. The removal of the instruments in question to that establishment was the chief object of the Bill. He might add that, although Exchequer Bills admitted of having the rate of interest lowered, they did not admit of its being raised, and, seeing that the rate of discount in the case of other securities ranged from 3 and 4 to 7 or 8 per cent, their position was somewhat unfavourable. Under these circumstances, to give the holder of those Bills the power of paying them into the revenue was to afford him a facility which was of considerable advantage.

MR. KINNAIRD said, that he was glad that the attention of the Chancellor of the Exchequer had been called to the subject of Exchequer Bills. Under the former management the country sustained a loss of three or four hundred thousand pounds through a spurious issue.

Motion *agreed to.*

Bill to consolidate and amend the several Laws regulating the preparation, issue, and payment of Exchequer Bills and Bonds, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER and Mr. CHILDERS.

Bill *presented,* and read the first time. [Bill 46.]

MARINE MUTINY BILL.

On Motion of Mr. DODSON, Bill for the Regulation of Her Majesty's Royal Marine Forces while on Shore, *ordered* to be brought in by Mr. DODSON, Lord CLARENCE PAGET, and Mr. CHILDERS.

Bill *presented,* and read the first time.

that the only true remedy is that which I propose in this Bill. The Bill, therefore, consists of a single clause repealing the fourth section of the Act of 1851, and I had thought that the difficulty of the cases I have referred to would be met by a proviso that no person shall in any action or other proceeding be compelled to answer a question as to adultery; but, as I find this will not meet the case, and if your Lordships permit the second reading of the Bill, I will, before it goes into Committee, print an Amendment to that proviso, to the effect that every person in such a suit shall be capable, but not compellable, to give evidence. I may mention that the learned Judge of the Divorce Court is most anxious to see this remedy introduced. It may, however, be objected that if you make a person competent to be a witness, but not compellable, and a party does not tender himself or herself as a witness, the inference is irresistible. But is that really an objection? The object of all evidence is the attainment of truth, and if the circumstances are such that one cannot help inferring guilt on his or her part, you attain the object for which you are seeking. After these few observations, your Lordships will see that I am obliged to separate this Bill from the other which stands in my name, because the provisions of this measure have reference not only to the Divorce Court, but also to cases brought before your Lordships; and there may also be cases in other courts where adultery may be put forward—so that the general law on the subject ought not to be confined to the Divorce Court. With these remarks, I beg to move that the Bill be now read a second time.

Moved, That the Bill be now read 2ª.—(*The Lord Chancellor.*)

Lord CHELMSFORD said, that notwithstanding his respect for the opinion of his noble and learned Friend, he could not bring himself to think that it was at all desirable that the law of evidence should be altered in the manner which he proposed. This was in form an unpretending Bill of only one clause; but whilst apparently a Bill of a purely legal character, it was one which involved questions of moral and social importance deserving the careful consideration of the House, and which their Lordships were as competent to decide as were those who were generally designated the Law Lords. Previous to 1843 no person could be examined as a witness who had any interest in the matter in litigation; but Lord Denman's Bill in that year removed some part of this disqualification; and in 1851 the Legislature took the further step of allowing the parties to the suit to be examined as witnesses, with the exceptions of parties proceeding for adultery, and the parties to an action for breach of promise of marriage. These exceptions were now pronounced to be anomalous, and it was sought to get rid of them by this Bill. He knew that persons of great learning entertained considerable doubt as to the propriety of these exceptions; but the judgment of the House of Commons had been pronounced upon the matter, for in the course of last Session his learned Friend Sir FitzRoy Kelly introduced a Bill into that House in which there were two clauses, by the first of which parties to any action for breach of promise of marriage were rendered competent to give evidence on behalf of either party; and by the second, in any suit or proceeding instituted in consequence of adultery any party was allowed, if he should think fit, to offer himself or herself as a witness on his or her own behalf; but in Committee on the Bill these clauses were after amendment negatived, and the Bill was withdrawn. Having carefully considered the subject he (Lord Chelmsford) was of opinion that it would be extremely dangerous to admit of any relaxation in the law in the direction proposed. It appeared from the statement of his noble and learned Friend (the Lord Chancellor) that amongst the benefits they derived from the Divorce Court they owed to it the introduction of an anomaly in the law of evidence—namely, that in a suit in that court for adultery the parties were precluded from giving evidence; but if the wife proceeded for a judicial separation upon the ground of cruelty and desertion, and the husband recriminated with a charge of adultery against her, all the parties might be witnesses. The present Bill proposed to get rid of this anomaly by saying that whether adultery were the immediate subject of the suit or arose incidentally the parties might be examined. His noble and learned Friend proposed that this power of giving evidence should be optional—that the parties, though competent, should not be compellable to give evidence. But he (Lord Chelmsford) thought that upon consideration his noble and learned Friend would be of opinion that practically there would be no difference between its being compulsory or optional, and that in every case it would be found that the "may" would in fact be the "must." The evidence in such cases was generally circumstantial, and in some cases it was of a very slight description. In one well known case it was so slight that the jury found for the defendant; but suppose the noble defendant in that case had been allowed to give evidence? If he had not appeared what would the jury have concluded? They would have said, "Although the evidence is slight, yet there are two witnesses who could tell us whether the facts charged are true or not. If they refuse to appear and give us the information that they alone can give we must deal with the case upon the presumption that if they did appear the facts would be established against them." His noble and learned Friend asked where was the evil in such a case?—for that if the parties were innocent they would appear and prove their innocence, and that if guilty they would shrink from appearing before the jury, and the jury would then arrive at a just and right conclusion in their absence. But in such a case, had my noble and learned Friend considered the temptation to perjury that would follow the removal of the existing exception? They must remember that the character, position, and social existence of the wife depended on the issue of the cause; and that having broken one Commandment, she would scarcely hesitate to break another where so much was at stake by bearing false witness? And would not the man consider it a point of honour to save the wife from the shame and misery to which he had brought her, by adding to his sin the crime of perjury? Very shortly before he retired from the bar a case occurred within his own professional experience which illustrated this danger. An action for criminal conversation was brought against a magistrate in the country. A verdict for damages was given, and on that the husband proceeded to the Ecclesiastical Court and instituted proceedings for a divorce *à mensâ et thoro.* The adulterer, or alleged adulterer, appeared and made an affidavit that no adultery had taken place. An indictment for perjury followed, and he had the misfortune to defend the prisoner. How the defence was to be conducted became an important consideration, and it was clear to him, as the prisoner's counsel, that there was no chance of an acquittal unless the prisoner could produce the wife herself to corroborate him on oath that no adultery had taken place. He felt it his duty to point out the consequences that must ensue if such evidence was not given. However, the wife did appear, and swore that no adultery had taken place. He certainly had great misgivings in the case, and was very reluctant to advise any course; but it was his duty to point out the consequence of such evidence not being given; and the result was that the wife came and swore as the defendant had sworn, and an acquittal took place. The Divorce Court was established shortly afterwards, and the husband sued for a divorce in that Court; the adultery was clearly proved, a decree for a divorce was pronounced, and almost the first act of his (Lord Chelmsford's) official life was to remove from the commission of the peace the name of the co-respondent in those proceedings. If they passed this Bill and took away the exception, they would hold out to a guilty person the greatest possible temptation to commit perjury. At present the scandal attending the proceedings of the Divorce Court was very great; but if the husband and wife and a co-respondent were called and allowed to give evidence in suits of this description that scandal would most unquestionably be aggravated beyond all imagination. The history of the lives of these persons, one and all, would be exposed to the torture of cross-examination and, in the end, their Lordships would have deeply to regret that any relaxation in the law of evidence had been allowed to take place. As to the other question, in respect to actions for breach of promise, a mere verbal promise was sufficient to establish a case, although the evidence generally given consisted of written correspondence and the testimony of friends; but if the plaintiff herself were allowed to give evidence, it was evident that mere expressions of tenderness would frequently be misinterpreted, and that a verbal promise would be easily proved. It might be said that both the plaintiff and the defendant would be admitted as witnesses; but the sympathy would be entirely with the woman, and in ninety-nine cases out of a hundred she would gain the verdict. A remarkable case occurred some years ago in which the defendant was a Member of their Lordships' House. An action for breach of promise of marriage was brought, and for the purpose of establishing her case, the lady, who was very clever, fabricated letters from the defendant to herself, and also wrote a great number of anonymous letters to the defendant, which she very ingeniously contrived to have put into the post by various friends who were called as witnesses to establish that there had been a correspondence between the parties. As it appeared before the jury that she had written letters to him, and as there was evidence that the letters supposed to have been written by him were in his handwriting, it would have been difficult to persuade the jury that there had been no correspondence between them. However four of her anonymous letters had fortunately been preserved, and when they were put in evidence the case was disposed of in an instant. Now, if this designing woman had been allowed to give evidence of the promise she would not have hesitated to swear that it had been made, and the noble defendant would probably have had to pay heavy damages. In actions of seduction the action was brought by the father or mother, or some relation of the girl, upon the fanciful ground that the girl was a servant, and that her services had been lost. Should this Bill pass, these would most of them be turned into actions for breach of promise of marriage; because when taxed with her frailty the girl would say that she had yielded only upon a promise of marriage, and her friends would then force her to bring an action to vindicate her character. Juries, who were always disposed in such actions to sympathize with the plaintiff, and to look with severity on the conduct of the man, would be easily disposed to find against him. He had already told their Lordships that a verbal promise was sufficient to support an action for breach of promise of marriage. In a Bill introduced in the House of Commons last year it was proposed that no such promise should be enforced unless it were in writing; but the Bill did not pass into law. It was singular that the Statute of Frauds enacted that any promise made in consideration of marriage should not be binding unless it were in writing; and yet it had been held that mutual promises to marry were not within the statute. If the proposed relaxation took place, he thought that they should at all events require that in all such cases the promise should be in writing, and that no verdict should be given upon the unsupported evidence of the woman bringing the action. But no alteration in the law as it now stood was in his opinion necessary; and, entertaining a strong feeling against the present Bill, if with no other effect than placing his opinions upon record, he felt himself compelled to move, as an Amendment, that the Bill be read a second time that day six months.

Amendment *moved* to leave out ("now,") and insert ("this Day Six Months.")—(*Lord Chelmsford.*)

Lord TAUNTON said, the subject was one which did not affect lawyers only, but involved questions of public morals and public policy, and must not therefore be viewed as of a purely legal character. It was not a new subject, but it was one that had been frequently discussed in Parliament. In a case where a question arose whether a man should be asked in a court of justice if he had committed adultery, Lord Denman declared that he never would consent to place a man in a position in which he must either commit perjury or betray the partner of his guilt. He thought it would be more for the interests of justice and right that such a species of moral torture should not be permitted, and should regret if any such alteration in the law of evidence were made now upon questions of this kind. The Bill, however, did not entirely go that length, but it rendered the husband or wife capable of giving evidence if they desired. He expressed his determination to vote against the Bill if it were pressed to a division, because it involved a most important and objectionable principle.

On Question, That ("now") stand Part of the Motion? their Lordships *divided*:—Contents 29; Not-Contents 29.

The Numbers being equal, it was (according to ancient rule) *Resolved* in the *Negative:* and Bill to be read 2^a on *this Day Six Months.*

CONTENTS.

Cranworth, L. (*L. Chancellor.*)

York, Archp.

Cleveland, D.
Saint Albans, D.
Somerset, D.

Camden, M.

Airlie, E.
Albemarle, E.
Caithness, E.
Clarendon, E.
De Grey, E.
Ducie, E.
Minto, E.

Sidney, V.

Peterborough, Bp.

Boyle, L. (*E. Cork and Orrery.*)
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Foley, L. [*Teller.*]
Llanover, L.
Monson, L.
Mont Eagle, L. (*M. Sligo.*)
Mostyn, L.
Northbrook, L.
Overstone, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Romilly, L.
Stanley of Alderley, L.
Stratheden, L.
Sundridge, L. (*D. Argyll.*)

NOT-CONTENTS.

Buckingham and Chandos, D.
Marlborough, D.

Bath, M.
Lansdowne, M.

Belmore, E.
Cadogan, E.
Hardwicke, E.
Harrowby, E.
Lucan, E.
Portarlington, E.
Shrewsbury, E. [*Teller.*]
Strange, E. (*D. Athol.*)

Lifford, V.

Abinger, L.
Chaworth, L. (*E. Meath.*)
Chelmsford, L. [*Teller.*]
Colchester, L.
Colville of Culross, L.
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Kilmaine, L.
Lyveden, L.
Redesdale, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L.
Taunton, L.
Vivian, L.
Walsingham, L.
Wharncliffe, L.

DIVORCE AND MATRIMONIAL CAUSES BILL—(No. 17.)—SECOND READING.

(*The Lord Chancellor.*)

THE LORD CHANCELLOR: I now, my Lords, move the second reading of this Bill. Its first clause proposes to give the Judge power to make an order on the husband for weekly or monthly payment to the wife. Many of the suitors in the Divorce Court are comparatively poor; and as the power the Bill proposes to give is similar to that held by magistrates in reference to certain cases which come before them, I can see no possible objection to the introduction of the clause. The next clause makes provision for extraordinary cases which occasionally arise. Sometimes, when a man brings an action for divorce on the ground of adultery, it is met on the part of the wife by a cross suit charging cruelty. The man may not succeed in proving adultery; but the woman, although she may succeed in making out a case of cruelty, cannot get relief. In the Old Ecclesiastical Court of procedure one suit determined the whole. The second clause meets this defect and enables the court on the hearing of the cause to give to the respondent the same relief to which she would have been entitled in case she had filed a petition seeking such relief. The last clause is simply a technical one, but at the same time it is necessary, and will be followed with useful results. The law at present permits a decree to be made absolute three months after the decree *nisi* has been obtained. I have been assured that if six months were fixed as the minimum time which should be allowed to elapse between the making of a decree *nisi* and a decree absolute the result would be far more satisfactory. It is felt that three months is not a sufficient time to allow for the possible coming to light of all the facts bearing upon a case, and the clause therefore enacts that no decree *nisi* shall become absolute till after six months.

Bill read 2^a, and *committed* to a Committee of the Whole House *To-morrow.*

CATTLE DISEASES (IRELAND) BILL. (NO. 30.) SECOND READING.

(*The Lord President.*)

Order for Second Reading read.

EARL GRANVILLE: My Lords, I beg leave to move the second reading of this Bill; and I may state that, if agreeable to your Lordships, I shall afterwards move the Suspension of the Standing Orders that it may pass as rapidly as possible. The Bill is very simple in character. It places in the hands of the Lord Lieutenant and Privy Council of Ireland the power which has been exercised by the Privy Council in this country with reference to the cattle plague. It is perhaps unnecessary for me to explain the Bill further, because almost all the clauses deal with this one point. The cattle plague has at present not visited Ireland; but we think it better that the authority this Bill proposes to confer should be in existence, and I hope it may contribute to preserve Ireland from the immunity it at present enjoys.

Moved, That the Bill be now read 2^a.—(*The Lord President.*)

THE EARL OF DERBY: I do not suppose any opposition will be offered to the second reading of the Bill, and for my own part I have no objection to the suspension of the Standing Orders in order to enable it to pass; but I think there is some difference between this Bill and the one having reference to England, already passed. If I understand rightly compensation is to be charged by this Bill upon the general rate of the whole country, and not upon a single union. That provision is different from the principle of the English Bill. I think it a just one, but I ask if it is an accurate distinction which I have drawn?

EARL GRANVILLE said, the noble Earl had correctly stated the provisions of the Bill.

LORD DUNSANY proposed to introduce a clause into the Bill, when in Committee, with reference to the traffic of cattle in steamers and other vessels.

The Earl of BELMORE said, that whilst he quite agreed with the spirit of the Amendment of his noble Friend, he thought it would be better not to insert it in a Bill of this sort, which did not profess to deal with details but gave powers to execute them to the Lord Lieutenant and Privy Council of Ireland. The Lord Lieutenant had appointed a committee, of which Lord Naas was chairman, to inquire into the subject of the cattle plague, and although in the report of that committee this matter (of the drovers) had not been touched on, it had been considered. He learnt that a sub-committee of that body had waited on the officials of the steamboat companies in Dublin on the subject, and that the companies were willing to do all they could in the matter. They would refuse to convey any drovers who had free passes, but they could not by law refuse to take any who offered to pay their fares as ordinary passengers. There would be practical difficulties in the way, and he thought it best to leave the matter in the hands of the Lord Lieutenant and Privy Council.

Earl STANHOPE wished to know why a different mode of charging the compensation for slaughtered cattle was adopted in Ireland and in England ?

Earl GRANVILLE was understood to say that the provisions of the present Bill had been adopted in deference to the general wish of those who took an interest in the subject in Ireland.

Motion *agreed to ;* Bill read 2^a accordingly ; Standing Orders Nos. 37 and 38, *considered* (according to Order), and *dispensed with ;* Committee *negatived ;* Bill read 3^a ; an Amendment *moved,* and (by Leave of the House) *withdrawn ;* Bill *passed.*

ECCLESIASTICAL COMMISSION—CONVERSION OF CURACIES INTO RECTORIES.—QUESTION.

The Duke of MARLBOROUGH asked the Lord President of the Council, in the absence of the First Lord of the Treasury, The reason why the publication in *The London Gazette* of the instruments passed by the Ecclesiastical Commissioners under their common seal for converting curacies into rectories, under Section 9 of 28 & 29 *Vict.* c. 42, has not been sanctioned by the Treasury ? One of the clauses enabled incumbents to assume the title of rectors on a certain portion of tithe being transferred to them ; power was given enabling rectors to make the sale, the assent of the Ecclesiastical Commissioners being required ; and when all this was complete the designation of the clergyman might be changed from curate to rector or vicar, according to the nature of the tithe transferred. This was a matter of great importance to many of the clergy, who much coveted this designation of rector or vicar. He had made inquiries on this subject of his noble Friend (the Earl of Chichester) as to what had been done since the passing of the Act ; and his noble Friend told him that a large number of applications had been made to sanction agreements under authority of the Act ; that the Ecclesiastical Commissioners had sanctioned them ; that the agreements had been forwarded for insertion in *The London Gazette,* according to the Act ; and that he was informed that the reason why they had not appeared was that they could not be published without the sanction of the Treasury. He was further informed by his noble Friend that application had been made to the Treasury on the subject, but that no answer had been returned.

Earl GRANVILLE was understood to say that the application had unfortunately been overlooked, but that the necessary instruction for the insertion of the Orders in *The London Gazette* had been given upon the subject that day.

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 5, 1866.

MINUTES.]—New Members Sworn—Right hon. William Monsell *for* Limerick County ; hon. George Denman *for* Tiverton.

Supply—*considered in Committee*—Army Estimates.

Ways and Means—*considered in Committee*—£5,500,000 Sinking Fund.

Second Reading-Consolidated Fund (£1,137,772)*; Marine Mutiny*.

Committee—Prince Alfred's Annuity * [43] ; Pensions (*re-comm.*) * [40].

Report—Prince Alfred's Annuity* [43] ; Pensions (*re-comm.*) * [40].

Third Reading—Princess Helena's Annuity * [42], and *passed.*

LOSS OF THE "LONDON."

QUESTION.

MR. CORRY said, he would beg to ask the President of the Board of Trade, Whether, in reference to the opinion expressed in the Official Report of the investigation into the loss of the *London*, that a great annual loss of life might be avoided if the deep-load line were permanently marked on all Vessels, he will bring in a Bill requiring the deep-load line to be permanently marked on all Vessels carrying Passengers and Merchandize?

MR. MILNER GIBSON: Sir, the point referred to by my right hon. Friend has been frequently considered, but the difficulty would be insuperable of adopting any general rule applicable to all ships by which Government officers should determine the deep-load line of a vessel, or how deep she may lawfully be immersed in the water. The Government have, therefore, no intention of bringing in a Bill requiring the deep load-line to be permanently marked on all vessels carrying passengers and merchandize.

FOREIGN BARLEY.

QUESTION.

MR. READ said, he would beg to ask Mr. Chancellor of the Exchequer, If he can furnish the House with the quantity of Foreign Barley which is manufactured into Malt in this country; and, if not, whether he will instruct the Officers of Excise to furnish such Returns for the months of March and April in the present year?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was sorry to say that he was unable to give the hon. Member the information he desired. There were at present no means of ascertaining the quantity of foreign barley manufactured into malt in this country; the Government had no authority to issue the orders to the Excise officers which the hon. Gentleman asked for, and if such orders were issued, they probably would not be obeyed.

EMPLOYMENT OF CHILDREN IN MINES.—QUESTION.

MR. AKROYD said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the case of a girl, twelve years of age, crushed to death in a colliery near Wigan, and to the evidence given at the inquest; and, whether the girl was employed contrary to the provisions of the Act for the Regulation of Employment in Mines?

SIR GEORGE GREY said, in reply, that his attention had been called to the matter by a private communication from Lord Shaftesbury. He had received a Report of the case from Mr. Higson, the Government Inspector. In his opinion the girl had not been employed contrary to the provisions of the statute; but the employment of a child of such tender years was very reprehensible. If the hon. Member would move for it, Mr. Higson's Report should be laid on the table.

WRECKS ON THE COAST OF DURHAM.

QUESTION.

SIR HEDWORTH WILLIAMSON said, he would beg to ask the President of the Board of Trade, Whether he is aware that seventeen vessels came ashore near Whitburn, on the coast of Durham, between the months of September and January last; if his attention has been called to a rumour of false lights having been exhibited near Whitburn; and if there be any truth in that rumour; if so, whether the Board of Trade intend ordering any further investigation than that already instituted by the Trinity House; and if there be no truth in the rumour, whether the Board of Trade intend inquiring into the circumstances under which those vessels came ashore, more especially as regards those that did so in calm weather and with an off-shore wind?

MR. MILNER GIBSON: In reply, Sir, to the Questions of my hon. Friend, I have to say that those vessels did come ashore, but as several of them were got off without damage, no report was, in those cases, made to the Board of Trade. The attention of the Board of Trade has been called to a rumour that false lights have been exhibited near Whitburn; but an inquiry having taken place, I do not believe there is any truth in that rumour, nor do I think any further investigation to be necessary. With regard to the circumstances under which those vessels came ashore, as stated in the reports from the spot, it is not intended to have any inquiry; but the question of putting a light on Souter Point, on that coast, is under consideration.

THE QUEEN'S BENCH PRISON.

QUESTION.

Mr. THOMSON HANKEY said, he wished to ask Mr. Attorney General, Whether his attention has been called to the case of certain Trustees for distributing charitable funds for the relief of Poor Debtors, who are now precluded from disposing of such funds in consequence of the abolition of the Queen's Bench Prison; and, whether he is prepared to sanction any fresh scheme for the application of such funds?

The ATTORNEY GENERAL said, in reply, that the matter alluded to by the hon. Member had been for a considerable period under the consideration of the Government. The Secretary of State for the Home Department had called the attention of the late Lord Chancellor to the matter, and in December, 1863, a Report was directed to be drawn up. In last autumn the matter was laid before him, and he directed the solicitor who transacts such business for him to make an application to Chancery. The application was made, and in December last the Master of the Rolls made a Rule directing the necessary steps to be taken.

EDUCATION IN SCOTLAND.

QUESTION.

Sir ANDREW AGNEW said, he wished to ask the Lord Advocate, Whether the Royal Commissioners on Education in Scotland may soon be expected to Report; and, if so, whether Her Majesty's Government proposes to introduce a Bill this Session, founded upon the recommendations of their Report?

The LORD ADVOCATE, in reply, said, the Commissioners had made a thorough investigation into the state of education in Scotland, and they would meet this month to consider the whole question. He was of course not aware what the result would be; but it was not impossible that the result would lead to a measure on the subject.

POOR LAW—OUTDOOR RELIEF.

QUESTION.

Sir PERCY BURRELL said, he would beg to ask the President of the Poor Law Board, When it is his intention to bring in a measure consequent on the passing of the Union Chargeability Bill, and comprising details relating to the outdoor relief by the Boards of Guardians of aged persons who are in the receipt of a small weekly pension from their former employers?

Mr. C. P. VILLIERS said, in reply, that if the hon. Baronet referred to a clause in the Union Chargeability Act, requiring the Poor Law Board to frame orders to render the provisions of that Act applicable to the proceedings of guardians and the accounts of overseers, he had to say that such orders had been already drawn up and issued throughout the country. With reference to his inquiry respecting the relief to aged persons who were in the receipt of pensions from former employers, that matter was in no way affected by the Act in question, and the relief which such persons received was regulated by an order of much prior date.

THE JAMAICA COMMISSION.

QUESTION.

Mr. BRIGHT said, it might be thought that he should have addressed the Question of which he had given notice to the Secretary of State for the Colonies; but as the Despatches to which it related were not in the Colonial Office, it had appeared to him that the question would be more properly put to the Chancellor of the Exchequer. He would, therefore, beg to ask the right hon. Gentleman, Whether he will undertake on behalf of the Government that all Despatches and all information received at the Admiralty and the War Department connected with the recent transactions in Jamaica shall be laid before the Royal Commission now sitting in that island?

The CHANCELLOR of the EXCHEQUER: Sir, I think my hon. Friend has taken the proper course in asking the Question that stands in his name on the Notice Paper. As the Jamaica Commission has already made considerable progress in the inquiry, I think it will be better that I should state what has already been done with reference to the despatches alluded to by the hon. Member for Birmingham. Sir Henry Storks as Chief Commissioner is in command of the forces in Jamaica, and he is therefore the military superior of all the officers that have been concerned in the recent occurrences, and all despatches written by officers of the army are at his command and in his possession. With regard to the despatches written by the naval officers the case is different. The naval officers are not under the command of Sir Henry Storks, and the Admiralty have felt themselves constrained not to direct Admiral Hope to make over the documents written by the naval officers. They have adopted this course as the despatches were written by the officers at the command of their naval superiors, and without being warned not to criminate themselves. What the Admiralty have done is this. They have directed Admiral Hope to give all the information and assistance in his power to the Commissioners in conducting the inquiry.

MR. BRIGHT: I beg to give notice that, unless the despatches are produced either in Jamaica or here, I shall bring forward a distinct Motion to have them laid on the table of the House.

MAJOR STUART KNOX said, he wished to know why the same rule was not adopted with reference to the army as in the case of the navy? The former were compelled to give up documents that may criminate them, and the latter were not.

THE CHANCELLOR OF THE EXCHEQUER: The despatches and documents affecting officers in the navy are in the hands of the highest naval officer at Jamaica, and the documents affecting the army officers are in the hands of the chief military officer, who also is the head of the Commission.

THE CATTLE PLAGUE COMMISSION.

QUESTION.

MR. W. MILLER said, he would beg to ask the Secretary of State for the Home Department, Whether he is aware that the Cattle Plague Royal Commission, in their endeavours to discover the best disinfectant, referred the question only to a single individual—namely, Dr. Angus Smith, who reported in favour of Carbolic Acid, or Macdougall's Powder, of which preparation he himself is co-partner with Mr. Macdougall, and which is generally believed by chemists to be no disinfectant at all.

MR. BARING said, it would have been more convenient if the Question had been put to the right hon. Member for Calne (Mr. Lowe), who was a Member of the Commission. He (Mr. Baring) had, however, communicated with Dr. Angus Smith, who was annoyed at the reference to himself, and more particularly because he thought that the question should have been deferred until his Report upon disinfectants had been completed and presented to Parliament. He had, however, given the following information on that part of the question:—

> "I never had any interest, profit, or advantage from the sale or manufacture of MacDougall's powder, or of any other substance made by him, or by anybody else."

Dr. A. Smith added—

> "I do not recommend MacDougall's powder as the best disinfectant."

And, upon the third point, he said—

> "Carbolic acid is not MacDougall's powder, but a liquid not manufactured by MacDougall."

With regard to the first portion of the Question he had received the following information from Mr. Montagu Bernard, the Secretary to the Commission:—

> "Dr. Angus Smith was the person employed by the Commissioners to report on disinfection and disinfectants. He is an eminent chemist, as every one knows, and had previously turned his attention to the subject. After a long series of experiments on a great number of substances he reported in favour of chlorine, muriatic acid, sulphurous acid, and the two tar acids (otherwise called carbolic, and cresylic acids). On a consideration of his Report the tar acids were deemed by the Commissioners most likely to be efficacious and best suited for general use. They then instructed a younger, but distinguished chemist Mr. W. Crookes, F.R.S., to go to a district where the disease was raging to test in several ways the efficacy of the selected substances, and to ascertain by personal experience the best and simplest modes of using them. Mr. Crookes has been for some time at work and the accounts received from him are very satisfactory. MacDougall's powder is a preparation containing carbolic acid, with sulphites of magnesia and lime. It was among the many substances tested by Dr. Angus Smith, and he recommended it as useful in some ways, making no secret of the fact that it had been first produced by himself, together with Mr. MacDougall, ten years ago."

In answer to the latter part of the Question, he had to state that the Home Office had no means of forming an opinion in regard to disinfectants, but when the Cattle Diseases Prevention Act was passed the Secretary of State for the Home Department directed a letter to be written to the Royal Commissioners, asking them to furnish him with the best plan for disinfecting premises, &c., from the contagion of the cattle plague. That information was supplied, and it had been circulated throughout the country. From the constitution of the Commission, and the manner in which they had directed the experiments to be made, it was impossible to suggest any body of persons better qualified to come to a proper conclusion on the matter.

CHURCH RATES ABOLITION BILL.

QUESTION.

Mr. WALPOLE said, he wished to ask the hon. Member for Stoke-upon-Trent, Whether he intends to go on with his proposed Resolution as an Amendment to the Second Reading of the Church Rates Abolition Bill, or whether he will consent to postpone the consideration of that Resolution until the House has determined the main Question raised by the Bill—namely, the absolute and unconditional abolition of Church Rates, without any substitute being provided for them ?

Mr. BERESFORD HOPE said, he could not resist the appeal made to him by his right hon. Friend, considering the position he held in that House, and considering that he was the only Minister of the Crown who had proposed from the Treasury Bench that particular compromise which he (Mr. Hope) had himself recommended. He would, therefore, withdraw his Motion, and allow a division to be taken on the main Question. If the Bill of the hon. Member for Bury St. Edmunds (Mr. Hardcastle) came to a second reading, he would reserve his Resolution until the Motion for going into Committee, and if the Bill were lost he would then bring forward his Resolution as a substantive measure.

THE REFORM BILL.—QUESTIONS.

Mr. CRAUFURD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Bill for amending the Representation of the People, which he has given notice to ask leave to introduce on the 12th of March, applies to the whole United Kingdom ; and, if not, on what day will the Bill to amend the Representation of the People in Scotland be brought under the attention of the House ?

The CHANCELLOR of the EXCHEQUER : Sir, the Bill which, according to the notice I have given, I shall have the honour of asking leave to introduce on Monday next, will apply only to England and Wales, and on that day I shall, I hope, be able to inform my hon. Friend what is the course we propose to take with regard to the corresponding Questions for Scotland and Ireland.

Mr. HUNT : I beg also to ask a Question with respect to the revision of the Electoral Statistics to which the right hon. Gentleman referred on a previous evening. I wish to ask for the information of the House, What is the nature of the revision to which these statistics have been subjected, and whether the Government Bill will be finally settled before that revision is concluded ?

The CHANCELLOR of the EXCHEQUER : The revision of the statistics must be interpreted as a revision of the press only. Substantially, the statistics have been very nearly completed for some short time, but in particular cases there are answers which we have been expecting. However, they may come to be so slight that it may not be worth while to incur further delay, and I think I may venture to assure the House that the tables will be circulated in full not later than Saturday morning.

AGRICULTURAL STATISTICS.

QUESTION.

Mr. J. PEEL said, he would beg to ask the President of the Board of Trade, Whether in the Returns made by the owners of stock on the 5th March it is intended to have a column for sheep under one year old ?

Mr. MILNER GIBSON, in reply, said. lambs must be entered in the column under the heading of "sheep under one year old." It was intended that the schedules should be issued earlier, and he thought that if similar Returns should again be required the schedules should not be issued during the lambing season.

MUTINY ON BOARD THE "SCOTLAND."

QUESTION.

Mr. GRAHAM said, he would beg to ask, Whether the attention of Government has been called to the evidence in the trial before Mr. Justice Bramwell of certain sailors of the crew of the ship *Scotland* for Mutiny; and whether, in view of the alleged misconduct and gross cruelty of the captain, it is the intention of the Board of Trade to institute an inquiry into his conduct in command of that ship ?

Mr. MILNER GIBSON: Sir, my attention has been called to the case of the *Scotland*, and steps have been taken for the purpose of holding an investigation into the conduct of the Master, under the Merchant Shipping Act, if it proves on inquiry that the evidence is such as to justify that course.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DEVONPORT ELECTION.

EXPLANATION.

Lord CLARENCE PAGET: Sir, I am anxious to say a very few words with reference to an unintentional misstatement which I made on Thursday night, and in which I conveyed to the House that the Duke of Somerset had ordered a certain telegram to be sent to Devonport, giving the necessary facilities for serving your warrant, Sir, upon the workmen in the dockyard. I may state that my knowledge of any acts on the part of the Admiralty was not obtained until Wednesday last at the Board. On that day I was under the full impression that the Duke of Somerset had himself ordered the telegram to be sent. Sir, that was an entirely erroneous view of mine. The Duke of Somerset approved the Order having been issued, and in which I also concurred and do fully concur; but the fact is that the Duke himself was not made aware of that Order having been issued until many days after it had been issued. That Order was issued by the Board of Admiralty, as they considered it to be a mere matter of routine in the dockyard, and they did not bring it to the notice of the Duke until Wednesday morning last, some little time before I was made aware of it, when I came into the Board-room, and the conversation turned on it. I can only express my sincere regret that I was under this erroneous impression as to the actual responsibility of the Duke of Somerset in sending this telegram.

Mr. HORSMAN: Sir — I also have been asked to give an explanation respecting this affair, and the most serious and important part of it, on behalf of a gentleman whose name has been mixed up in these proceedings — Mr. Phinn. It is known to the House that Mr. Phinn was an unsuccessful candidate for Devonport at the last election. It is known also, that a petition has been presented against the return, praying for the seat for Mr. Phinn. It was therefore, and perhaps naturally, assumed that it was in Mr. Phinn's interest that the application was made to the Admiralty to give facilities for serving the warrant, and that it was through his influence that that application was successful. For my own part, I knew nothing whatever of these proceedings until I listened to the statements made in this House: but the next morning Mr. Phinn called on me and said that as he was officially connected with the Admiralty his conduct was a matter of public rather than of private interest. He therefore asked me to make a statement to the House on his behalf. I had no opportunity of doing so on Friday; and to-day, instead of my stating the matter orally, Mr. Phinn has written me a short note, which I will read—

"As you had not the opportunity of making the statement to the House on my behalf which you kindly promised to do on Friday evening, will you allow me now to state, as compendiously as possible, that though I approved of the petition being presented with a view to a full investigation of the proceedings at the recent election, I declined to take any part in it, and, as far as I could, refused to concur in the prayer for the seat urged on my behalf by the electors? In proof of this, I refer you to the letter of Mr. Travers Smith, and my answer to the letter of Mr. Tripe, one of the petitioners, and the chairman of the Liberal Committee, which I now enclose. I have never interfered, directly or indirectly, with the petition or with the conduct of it since its presentation. I knew nothing of the issue of the warrants, nor of the application to the Admiralty, nor was the matter in any way referred to me by the Board, or to anyone acting with or for me. The first intimation I got of the matter was a notice of Motion given by Sir John Pakington on Tuesday, the 27th of February, which I read in the second edition of *The Sun* of that day. I then wrote to Lord Clarence Paget, saying I knew nothing whatever of the matter, supposing that it was some local question. I find it necessary to be thus explicit in consequence of allusions made to my supposed connection with the affair, even after the Duke of Somerset had read an extract from my letter denying any connection with the petition."

This is a short note of Mr. Travers Smith, the agent for the petitioners. It is dated the 6th of February, a month ago, and it says—

"43, Parliament St., Westminster, S.W., Feb. 6.

"My dear Sir,—I am advised that we should do far better to ask for both seats by the petition, whatever we do before Committee. It is a petition by electors only, so that the unsuccessful candidates are in no way responsible for its contents. Have I your permission?—Believe me, very faithfully yours, J. Travers Smith.

"Thomas Phinn, Esq., Q.C., 50, Pall Mall."

Here is Mr. Phinn's answer, dated the same day—

"50, Pall Mall, Feb. 6.

"My dear Sir,—I have no power over the electors. They may pray for anything they please, but I cannot concur in their prayer. I neither assent nor dissent, simply because the latter would be inoperative, and the former I have steadily refused to do. I have told my clients that I am at their service for the Session, and I shall tell them still that, whatever occurs, I shall redeem the pledge I have given. I cannot concur in the advice you have received.—Yours truly,

"THOMAS PHINN.

"It must be distinctly understood that I have nothing to do with the petition except that if I am wanted as a witness I shall be ready."

The House will perceive from this letter that Mr. Phinn not only had nothing whatever to do with the petition, but actually said, a month ago, that if the Committee gave him the seat he would not take it, because he had received a retainer as counsel in relation to business before the House of Commons, and acting as counsel for his clients would be incompatible with his holding a seat. Here is a note also from the Chairman of the Devonport Liberal Committee—

"The Elms, Devonport, March 3.

"My dear Sir,—I learnt some time since incidentally that you were to be asked to allow your name to be in some way joined in the petition, but I never heard the result. Indeed, I was not curious in the matter, as I knew beforehand, from conversations with you, that you would refuse to be involved in the trouble and expense of contesting the seat. I also understood that your refusal would not affect the petition coming from us as electors, and which was for both seats. Your decision was regretted by us as severing the connection between us, but, as it appeared to me, did not affect our conduct. If this note is of any use as showing that your friends here fully understood that you were no party to the petition, you may use it in any way you please.—Believe me, my dear Sir, yours very truly,

"L. P. NATHAN, Chairman of the Liberal
"Committee at the last election."

Now, I think my right hon. Friend opposite (Sir John Pakington) will admit that, as the gravamen of the charge against the Admiralty was that there was an official connected with the Department interested in the seat, the charge falls to the ground after the evidence contained in this correspondence, a month old, that not only did Mr. Phinn refuse to have anything to do with the petition, but that both to the chairman of his committee and to the agent of the petitioners he wrote that, even if the seat were given to him by a Committee of this House, he would not accept it. Under these circumstances, I hope my right hon. Friend will be satisfied as to that part of the case.

SIR JOHN PAKINGTON: Sir, I think the House will permit me to say what is the impression I entertain, both with regard to the explanations which we have just heard, and also with regard to the position in which this question now stands. Sir, I heard with great interest the brief statement made by my noble Friend the Secretary for the Admiralty; but I confess that I was disappointed at the brevity of that statement. There appears between the statements made by the noble Lord the other night and the explanations given by the noble Duke in another place to be a serious amount of discrepancy; but I have no wish to dwell longer upon this subject, or to enter into any kind of controversy with my noble Friend. After seven years of intercourse, which political differences have not deprived of its friendly character, I have not the least desire to criticize in a hostile spirit, either now or on any other occasion, anything that has fallen from the lips of my noble Friend. But, Sir, I feel bound distinctly to state the impression which is strong upon my mind, that I am quite unable to concur in the opinion expressed last Thursday evening by some hon. Members on both sides of the House—namely, that, although there might have been some grave impropriety committed by the subordinates in the dockyard, the Admiralty itself was free from blame. Now, the impression on my mind is—and the right hon. Gentleman who has just spoken is much mistaken as to my view of the gravamen of the case, for I by no means agree with him—the impression now upon my mind, subject, of course, to any explanation which may hereafter be received, is that the conduct of the Admiralty in this matter has been gravely culpable and improper. I will in a few words explain in what respect I think the conduct of the Admiralty has been in fault. The noble Lord, in answer to the speech which I made on Thursday, read to us a letter which had been addressed by the partisan attorney of the petitioners in this case, requesting that the Admiralty would interfere in the dockyard at Devonport to afford facilities for serving summonses upon the voters employed there. Now, Sir, in my opinion—and I appeal to the House whether on this point it will not agree with me—there was but one proper answer for the Admiralty to return to that letter from the solicitor for the petitioners. The Admiralty ought to have replied, "We have nothing to do with this matter. The petitioners have the same power of serving warrants upon the voters employed in the dockyard that they have of serving warrants upon any other of the voters in the borough of Devonport. And we, the Admiralty, decline to make ourselves parties to an election petition for that borough." That, in my opinion, is the only answer that the Admiralty should have returned to the letter of Messrs. Travers Smith and Co., which was read to us the other night. I hold that, by sending a telegram to Devonport authorizing what they called "facilities" for getting these men together, and serving them with summonses in the yard, instead of at their own houses, where they ought to have been served, the Admiralty were, in fact, making themselves parties to the case of the petitioners, and taking a course which they were not justified in adopting. Sir, my noble Friend has tried to-night to pass over this interference by calling it a matter of routine; and I perceive that in another place it has been spoken of as merely a usual proceeding—as only a matter of course. Really, these explanations seem almost to imply that the Government consider that election petitions from dockyard boroughs are matters of daily occurrence. I beg to dissent from that. I know not what proof my noble Friend or any one else may be enabled to give with regard to this mode of serving these warrants being a usual proceeding, but I take leave to doubt whether it can be proved that it is usual; and I venture to express my opinion that, if such a practice has obtained, the sooner it is put an end to the better; because it must be obvious to every one that such a proceeding is inconsistent with the impartiality which ought to be observed by a Government Department in such a case, and is manifestly open to very great abuse. I asked the other evening by whom was that telegram sent? by whose order was it sent? I received no answer to those inquiries. We have since been told that the noble Duke at the head of the Admiralty had no knowledge whatever of these proceedings—that he was altogether ignorant of what had taken place until some days afterwards. I appeal to the House to consider what is the state of things within the Admiralty which is disclosed by these statements. A partisan attorney writes, we know not to whom—we know not at this moment by whom his letter was received—he writes to some one in the Admiralty a letter demanding the assistance that he wished. In consequence of that demand a telegram is sent down to Devonport directing that the assistance he required shall be given to him. But up to this hour we do not know by whom the telegram was issued or by whom it was sent. All we know is that, as my noble Friend now says, some days elapsed before the noble Duke at the head of the Admiralty was in the least aware of this improper interference. And when a partisan attorney was thus allowed to enter a dockyard and bring together the workmen, how can we feel any surprise that abuses resulted, as might naturally have been expected, from the interference on the part of the Admiralty? Upon the whole, bearing in mind the statement which the right hon. Gentleman the leader of the House (Mr. Gladstone) made on Thursday, and bearing also in mind what has fallen from the noble Duke in another place, and the explanation that has just been given here, I presume that Her Majesty's Government will have no objection to these transactions being made the subject of an inquiry by a Committee. I think it is due to the importance of the question—I think it is due to the extraordinary allegations which, on the authority of others, I brought before the House on Thursday evening with regard to what is of the greatest importance—namely, the direct interference of the Board of Admiralty to promote the interest of a particular candidate for the representation of a dockyard borough—an interference with respect to which this House must feel the greatest jealousy—it is due, I say, to these considerations that this matter should be investigated. Those agents acted in a manner which was not warranted by the occasion; indeed, the interference was wholly unnecessary to accomplish the object in view. I am of opinion that a gross injustice has been practised upon the voters engaged in the dockyard. The fair and proper course to be pursued, therefore, is, that a Committee, chosen by the Committee of Selection, should be appointed to investigate the case. Looking at the admissions of the Chancellor of the Exchequer on Thursday evening, when he said that an inquiry must be made, considering also the language since used in another place, I beg to express my hope that Her Majesty's Government will consent to the appointment of a Committee, chosen by the Committee of Selection, to investigate the whole of the circumstances of the case. According to Parliamentary practice, it is not in my power, without notice, now to move that such a Committee be appointed; but, in the hope that the right hon. Gentleman will give his consent to the proposal, I give notice that either to-morrow or on Thursday next I shall move for the appointment of the Committee.

THE CHANCELLOR OF THE EXCHEQUER: There is no difficulty whatever in answering the question which has been put by the right hon. Gentleman (Sir John Pakington) as to the precise manner in which this direction of the Admiralty came to be given. The letter of Messrs. Travers was addressed, not, I think, to the Secretary of the Admiralty officially, but to Mr. Romaine, in his own name. The Board was attended by Sir Frederick Grey and Admiral Eden, and the words of the Order given by the Board were, "Telegraph to Plymouth that the necessary facilities for serving the warrants may be permitted." Those were the words. With those words the Board lost sight, if I may say so, of the transaction. They believed that what they had done was their duty, and a matter of course, respecting which they really had no option. The right hon. Gentleman has expressed, and is entitled to entertain, a different opinion; he thinks a decided error was committed by the Admiralty in giving these facilities, or interfering in any manner in the affair. At the time of the discussion on Thursday evening the circumstances of the case were entirely new to me; but since that time we have had an opportunity of thinking them over; and I must say, for myself, that the opinion I then formed that no serious error had been committed by the Admiralty is now confirmed, and, indeed, has taken the form of an opinion that no error whatever was committed. I do not agree with what was stated in that debate—that it was the business of the Admiralty to desire the bearer of the Speaker's warrant to take that course which the law allowed. I will not now speak of the courtesy which prevails between public authorities. You, Sir, had, I believe, in the regular, uniform, and established course, issued these warrants with a view to giving effect to certain provisions of the law; and although it may be that the warrants do not rest upon an express statutory provision, yet at any rate they rest, I apprehend, upon Parliamentary usage and powers that are entirely unquestionable. Therefore, those warrants were entitled to be considered as legal documents. I believe, after the best inquiry we could make, there is no doubt that a personal service of these warrants was requisite. That is the judgment at which we have deliberately arrived. Personal service being requisite, and it not being sufficient for the parties intrusted with these warrants to leave them at the residences of the men, those parties, I apprehend—and that is the next step in the matter for consideration—were entitled to find the voters wherever they could—that is to say, they were entitled to enter the dockyard while the men were at work, and to search for the parties for the purpose of delivering the warrants. Now, as I said before, I will not speak about the courtesy to be observed by a Government Department to the authority of this House; but I will speak of public convenience, and I would ask whether it would have contributed to the public convenience or advantage in any sense whatever to have permitted the clerks of Messrs. Travers Smith and Co., bearing these warrants, to go into the dockyard and proceed from room to room, and from shed to shed, inquiring which is John Robinson, which is James Thompson, and so forth. I ask whether it would have been for the public convenience that the attorneys' clerks should have gone into the dockyard and made these inquiries as they could of several scores of men while they were at work. On the contrary, it is, I think, quite obvious that it was much better to make some arrangements with the authorities of the dockyard, by which, if they thought fit, a convenient plan could be adopted for placing those warrants in the hands of the men. What I have to say with regard to the conduct of the Admiralty is that we do not now entertain an opinion different from that which we gave the other night. The right hon. Gentleman opposite has inquired whether Her Majesty's Government had any objection to prosecute an investigation into the matter by means of a Parliamentary Committee. In reply, I would say that letters have been written to Devonport for the purpose of obtaining the fullest information, and that I would rather reserve my answer to the Question till those inquiries shall have been made, when the right hon. Gentleman will have the opportunity of fully considering the case. At that time I shall be prepared to answer the inquiry. I may even now state that the Government have every disposition to resort to whatever means will secure for the House the fullest information with respect to every part of the transaction.

MR. BAILLIE COCHRANE: Will the Return state the number of hours occupied in the examination of the workmen?

LORD CLARENCE PAGET: Yes.

MR. HUNT: The right hon. Gentleman the Chancellor of the Exchequer seems to think that when the Speaker's warrant has to be served in a dockyard the proper course is to get the assistance of the dockyard authorities to serve during the hours of work, and in the rooms. I do not know whether the right hon. Gentleman is acquainted with the dockyards; but those who are familiar with them know that the gates of the yards are kept close during certain hours. At the usual time for the workmen to leave they are opened; and the proper way to serve the warrants would have been for the person in charge of them, assisted by parties to identify the men, to have stationed themselves outside or just within the gates as the men were leaving, and to have handed them the warrants. Had that course been adopted, there would have been no ground of complaint on the part of anybody; and thus the work of serving the warrants on the persons engaged in the dockyards would have been far easier than that involved in serving them upon any other class of people required to give evidence before the Committee.

ADMIRAL DUNCOMBE: Was the order to send the telegram that of the Board of the day or that of a special Board summoned for the purpose, and who was the secretary?

LORD CLARENCE PAGET said, I believe the telegram was sent by order of the Board of the day. There were only two members of the Admiralty present, and the secretary attending upon them, and who wrote the order was Mr. Romaine.

MR. ROEBUCK: I ask for information this Question of the Attorney General, If the Speaker's warrant had been left at the residence of the persons summoned, would it not have been a sufficient service in law?

THE ATTORNEY GENERAL:—I rather think not. In the first place, I think it would not be, even if a separate warrant was issued for each individual person. I understand, however, that it is not customary to issue separate warrants. On the occasion in question the names of several persons were included in a single warrant, which must be shown to the person who is served, and a copy is left with him. Under such circumstances the original warrant could not have been left at the house of the voter.

PATENT OF THE SECRETARY OF STATE FOR WAR.—QUESTION.

CAPTAIN VIVIAN, in putting the Question of which he had given notice, To ask the Secretary of State for War a Question relating to the wording of the Patent by virtue of which the Secretary of State for War holds his Office, said, he thought the House would agree that he could not have selected a more fitting occasion for asking the Question of which he had given notice than the present. It concerned the amount of authority which the Secretary of State for War possessed over the other branches of the military administration. The present was the first occasion on which his noble Friend (the Marquess of Hartington) had the opportunity of addressing the House as Secretary for War—a position for which there was every reason to believe he was eminently qualified, from the admirable manner in which he had performed the duties of Under Secretary. Having made these preliminary remarks, he wished to observe that he had brought forward the subject to which he was about to call attention, because in 1859 he had moved the appointment of the Committee on Military Organization, and had himself the honour of being a Member of that Committee. The Committee went very fully into the question of the authority which the Secretary for War exercised over the other branches of the Military Department, and very strong opinions were expressed, both by Members of the Committee and by gentlemen qualified by rank and position to pronounce an opinion on the subject, as to the wording of the Patent of the Secretary for War. He need hardly add that a very strong opinion had also lately prevailed out of doors, and the subject had been much discussed in the public press, that there were some restraints placed on the powers of the Secretary for War beyond those contained in his Patent. It was unnecessary, in dealing with the matter, that he should go into a detailed history of the War Department, beyond stating that as now constituted it was a comparatively new Department of State, dating as it did only from the period of the Crimean War. The old system had broken down under the pressure of that war. Up to that time the War Department and the Colonial Department had been associated together, and were presided over by the Secretary of State for War and the Colonies. When the separation of the two Departments was made, the new office of Secretary of State for War was created, Lord Panmure was appointed, and a new Patent was made out. The Patent gave to the Secretary of State for War

> "The administration of our army and land forces of every kind and denomination whatsoever," with the important reservation, "always so far as relates to and concerns the military discipline of our army and land forces, as likewise appointments and promotions in the same, and so far as the military command and discipline thereof shall be committed to our Commander-in-Chief of the Forces or our General commanding in Chief for the time being."

Such was the nature of the Patent under which Lord Panmure exercised the duties of the office. To him succeeded his right hon. and gallant Friend the Member for Huntingdon (General Peel). When his right hon. and gallant Friend had been in office nearly a year it was discovered that the Patent issued to him was simply a Secretary of State's Patent without the reservation which he had just read. His right hon. and gallant Friend thought the matter of such importance that he took measures to obtain the opinion of the Law Officers of the Crown as to whether he was not responsible for the military control of the army, as well as for the civil administration of it. Before, however, the question could be settled by the Law Officers, a change in the political atmosphere obliged his right hon. Friend to retire from his post. He was succeeded by the late Mr. Sidney Herbert, afterwards Lord Herbert, whose Patent contained the same reservation as that of Lord Panmure. During his administration it was that the Committee on Military Organization, consisting of Gentlemen of eminence from both sides of the House, and who discharged their duty in the most searching and admirable manner, held its sittings. The question of the Patent was gone into, and it was by them recommended that the reservation which he had just mentioned should be expunged from the Patent. After that expression of opinion it did not surprise people generally that when Lord de Grey succeeded to the office of Secretary of State for War his Patent did not contain the same reservation as those of his immediate predecessors. Some surprise would be expressed, if it were true, as he had heard, that there was in existence a document of some kind which was sufficient to restrict the powers of the Secretary of State for War, in the same way as the reservation of the Patent to which he had called attention. It was not his purpose to enter at that moment into the important question of military organization. It was a great and important question, and well worthy of the consideration of that House, but this was not the time to discuss it. He would, however, say that he did not believe the noble Lord the Secretary for War would find it of any avail to attempt to make any great reforms in army administration unless he was prepared to grapple with that question. He wished to ask his noble Friend to give an explanation of the rumour which prevailed out of doors, and which had been discussed in the public press; to tell the House whether or not the patent which Lord de Grey held contained the reservation which the patents of Lord Panmure and Mr. Sidney Herbert did; and, if not, whether Lord de Grey was restricted by any Memorandum or document of any kind whatever which was or had been in his Department? The Question, the House would see, involved a matter of constitutional importance; because, if the reply should be in the affirmative, we should clearly have a great officer ostensibly unlimited in the administration of his Department, but substantially controlled by a document not of a public or official character. He intended to move for the production of the document itself, if there were any such document; but he felt assured the answer which he should receive from his noble Friend would be so frank and explicit as to render it unnecessary that he should move any further in the matter.

The Marquess of HARTINGTON: I shall have great satisfaction in giving my hon. and gallant Friend (Captain Vivian) and the House all the information which I possess on this subject. My hon. and gallant Friend has, I think, not with perfect, but perhaps with sufficient accuracy, stated what were the alterations made in the Office which in former times enrolled a army. He has also stated correctly the nature of the Patent held by the first Secretary of State for War. It is true that Sir George Cornewall Lewis, who succeeded Lord Herbert, received a Patent which did not contain any reservation whatsoever as to his responsibility or power; but Sir George Lewis himself drew up for the signature of the Queen, in accordance with the recommendation of the Committee to which my hon. and gallant Friend has referred, a document regulating the responsibility and authority of the Secretary of State for War and of the Commander-in-Chief. That document was, I believe, signed by the Queen, and it remains in force until it shall be revoked, whatever changes in the individuals at the head of the Office may take place. I am perfectly willing to lay, if my hon. and gallant Friend wishes me to do so, a copy of that document on the table of the House, and I think that if he compares it with the Report of the Committee on Military Organization he will no longer regard it with surprise, but will perceive that it is of the nature corresponding to the recommendation of the Committee. From this Report it will be at once seen that the Committee thought some document of this description was needed, for they say—

> "It may be questioned whether these supplementary patents are at all needed. They only indicate the pleasure of the Crown, under seal, which, notwithstanding the patent, may always be conveyed in the ordinary manner through the Secretary of State; and they do not absolve the Secretary of State from his constitutional responsibility in regard to all matters where he is the Minister by whom and through whom the commands of the Queen are received and given."

Further on they call attention to a document, signed by the Prince of Wales, and countersigned by Lord Liverpool in 1812, defining the respective duties of Commander-in-Chief and Secretary for War, and they say—

> "Your Committee are of opinion that this document points out the best and most satisfactory form for regulating the authority of the Secretary of State, and for defining the extent of the departmental functions of the Commander-in-Chief."

It is quite clear, therefore, that the Committee contemplated that the respective powers of Commander-in-Chief and Secretary of State should be defined by some document, and Sir George Lewis thought this view of the case so evident that he at once prepared a document embodying their recommendations. I think my hon. and gallant Friend did well not to raise on this occasion the important subject of the respective duties of the Secretary of State and the Commander-in-Chief; and it would also perhaps be better that I should follow his example, and should not now make any remarks on the general question, but wait until the document to which I have referred is in the hands of the House.

THE DANUBIAN PROVINCES—STATE OF ROUMANIA.

QUESTION.

MR. DARBY GRIFFITH, in rising to ask whether the Danubian Provinces of Roumania would be allowed to arrange their own institutions without interference from either the protecting Powers or the Porte, said, that those Provinces had, by the simple expedient of electing the same Prince, defeated the arrangement to keep them separate. Since the election of Prince Couza the Provinces had gone through the various difficulties attending young and rising States, and at length, a revolution taking place, Prince Couza was obliged to resign. It was to be presumed that the parties who were originally opposed to the union of the Provinces remained of the same opinion still, and that the Turkish Government would willingly upset any arrangement by which they might be united. Now the Provisional Government had issued an address to the Diet, and one of the arrangements come to was the election of a foreign Prince, who, however, declined to place himself in the difficult position to which he had been chosen; but the desire of the people to maintain the choice of a foreign Prince remained the same. The presidency of the right hon. Gentleman the Chancellor of the Exchequer over the councils of this country inaugurated a new policy; and it was to be hoped that in respect to this matter what in diplomatic language was called the necessity of protecting the integrity of Turkey would not be urged, because as regards those Provinces the sovereignty of Turkey was a mere name and myth. He trusted that, considering the declarations of the right hon. Gentleman in 1858, the Government would see their way to allow the people of the Danubian Provinces of Roumania to make their own arrangements. He was also anxious that the Government should consider the state of the neighbouring Province of Servia. There hostile fortresses, dominating over the country, were preserved, and three years ago there occurred a bombardment which was condemned and stigmatized by the united voice of Europe. Such a circumstance was likely to occur again at any time while a suzerain Power like Turkey kept possession of these fortresses without having any hold on the country. If Servia were placed in the same position as the Danubian Provinces, where the fortresses had been demolished, a source of irritation would be removed. The existing arrangement was not of the slightest value to the Porte, while it involved an annual expenditure on the part of that Power of half a million sterling. The answer of the right hon. Gentleman on this subject might now be more reserved than the declarations he formerly made when occupying a different seat, but Members of Parliament could not with safety change their opinions according to the locality in which they might happen to be placed. It was not creditable that Members of that House should come forward as champions of the freedom of populations, and then, when in an official position, adopt a different style of language. The right hon. Gentleman the Chancellor of the Exchequer made a speech in 1858 which powerfully contributed to the settlement of the condition of those Provinces, and he (Mr. Darby Griffith) had the honour of recording his vote in favour of the Motion which he then made. There was quite as good a chance now as then that they would be able to arrange their own affairs, and much better than if they were again divided into two Provinces. He would therefore beg to ask, Whether the Danubian Provinces of Roumania will be allowed to arrange their own institutions without interference from the protecting Powers, or the Porte; and, whether the Government of Servia has lately applied to the Porte for the withdrawal of Turkish troops from the fortress in Servia, and with what probable result?

THE CHANCELLOR OF THE EXCHEQUER: This is a question of foreign policy, and as misapprehensions might arise if I made no reply to the questions of the hon. Gentleman I must say a few words, although I will not enter into a general discussion of the two important subjects which have been combined in a single Question. I remember very well the occasion in 1858 to which the hon. Member has referred, when I had the pleasure of voting with him—a pleasure which I hope I may enjoy hereafter. I think on that occasion the head of the present Government was also in the same lobby. Nevertheless, I am not here to declare any departure from the policy which the British Government has heretofore pursued with regard to the Eastern question. With respect to the present position of the Provinces of Roumania, the hon. Member will at once perceive that circumstances are not in a state which would admit of any definite declaration on our part on that subject. Our relation to those Provinces we hold in common with the other Powers, parties to the Treaty of 1856, and the measure which has been adopted is the one which propriety evidently dictated—namely, that those Powers should meet in Congress for the purpose of considering the circumstances which have lately occurred, and their bearing on the future of the Provinces. It would not be conducive to sound policy, and would hardly be consistent with propriety, if any declaration were made by us in our separate capacity when that Conference is about to meet. We should resent, or, at least, disapprove, any such course on the part of another Power. We shall enter the Conference with respect to the Danubian Provinces, holding it to be our main duty to keep in view, not only the precise words of the stipulations, but also the general scope and purpose of the Treaty of 1856. Subject to the provisions and policy of that treaty, it must be the desire of every British Government to see the local institutions of that country developed in accordance with the well ascertained opinions of the inhabitants. I am not able to give a pledge with regard to the particular matters to which the hon. Gentleman has referred, nor with respect to the point whether these Principalities are in future to be ruled by a foreign Prince—a question which has been connected with great difficulties in the discussions of former times. As regards the latter part of the Question, which relates to the Government of Servia, we have not been apprised of any recent application by that Government to the Porte for the withdrawal of Turkish troops. It would, therefore, be out of place for me to enter upon that subject.

WORKS IN NEW PALACE YARD.

OBSERVATIONS.

MR. POWELL rose, pursuant to notice, to call attention to the building operations in progress at New Palace Yard, and to ask the First Commissioner as to the nature of the works and the quality of the stone employed. The condition of the building in which the business of legislation was conducted must be a subject of great interest to the country. For several years past the progress of the works connected with the Palace of Westminster had been almost wholly suspended. The houses along the south side of Bridge

Street had been pulled down, and New Palace Yard had become an open space. They had been informed by the right hon. Gentleman the First Commissioner of Works, that a resolution had been arrived at that New Palace Yard should not be occupied by a quadrangle, according to the original plan of Sir Charles Barry, but that it should be left as now, an open space, and that the magnificent view of the Abbey which had now been opened, should thus be secured to ourselves and to future generations. In the course of last Session a Vote of £15,000 had been taken for works in New Palace Yard, and on that occasion the right hon. Gentleman (Mr. Cowper) said—

> "The sum proposed for completing the Clock Tower and New Palace Yard is intended to be spent in this way—the side of the Clock Tower which was now imperfect, would have the same front as the sides towards Westminster Bridge and towards the river. It was proposed to take advantage of the higher level of the ground in Bridge Street, to make a subway by which Members proceeding from Palace Yard might escape the danger of the present passage, and reach the other side without crossing the road."—[3 *Hansard*, clxxix. 248.]

And then the right hon. Gentleman proceeded to give his plan for laying out New Palace Yard, which was partly to be occupied by a cab-stand and partly by shrubberies and a plantation. But there was reason to suppose that there was some change of plan. In the Vote laid upon the table this year it was proposed to take £28,000 for completion of the Clock Tower, for ornamental railings, and other work. He had seen in a public journal, which was supposed to have accurate information of the intentions of the Government on minor matters — *The Globe*— that

> "New works are now in hand for the erection of an arcade in Palace Yard in harmony with the Parliament House, from the designs of Mr. E. M. Barry."

No such arcade was spoken of last year—

> "This will extend along the east side of Palace Yard, forming a new base to the building, and rising somewhat higher than the level of the roadway near Westminster Bridge. The centre of this arcade is open as a porch, having a statue on each side, to that portion of the palace; at the same time the arcade will supply a covered way for those who approach the new railway station which is to be erected close to the north-west angle of the bridge. A subway beneath the roadway will render communication easy and safe. This will be commenced as soon as the railway works will admit. It is also proposed to finish the west side of the Clock Tower by panelling; the appearance of the new work will be made to harmonize with that which already exists. A handsome railing of iron, gilt and richly moulded, will extend along the whole side of Bridge Street, and be perforated by gates, having within, as well as on the west side also, a series of shrubberies."

He was glad to find that Mr. Barry was engaged to complete these works, as he inherited the great architectural talents of his father; but it was impossible not to entertain some doubts as to the complete harmony of the design as laid down by him with that of the old building. No doubt, many of the works erected by Mr. Barry had shown his great ability; but Mr. Barry did not entirely represent the same class of ideas as his late father, and therefore it was necessary to ask for some explanation with regard to the harmony of the new designs with those of the late Sir Charles Barry. With regard to the subway, he wished to ask under whose control it would be, and whether the soil would belong to the Government? There was one remaining branch of the Question upon which he desired some information —namely, the quality of the stone employed. He need hardly refer in passing to the sad history of the masonry of the Houses of Parliament. It was well known how long and costly scientific inquiries were made ; how they ended in the selection of a certain species of stone; how the stone so chosen was not used in the building; and how many of the stones which were employed were such as an ordinary clerk of the works who was fitted for his duties would have rejected.

MR. LOWE : Before my right hon. Friend rises to reply I wish to present an humble petition, to which I beg his favourable consideration. The Members of this House are required to come here on the public business. Some of us are not very young nor so active as we have been, some of us are short-sighted, and none wish to come to a sudden end under the wheels of cabs or omnibuses. Well, I do not think there is a more dangerous crossing in all London than that which leads to the Houses of Parliament ; and I think, in addition to the labour of working day after day and night after night, it is rather hard that we should two or three times a day have to run the risk of our lives. The Lord Advocate, for instance, sustained a serious injury two years ago in his endeavours to avoid being run over by a Hansom cab. We often come here in a hurry when we are "whipped up" for a division or under other pressing circumstances. This being the point of conveyance of the traffic from Birdcage Walk, from Parliament Street towards the Victoria Station, and to and from Westminster Bridge, the dangers which are incurred in crosing to the House of Commons are already great, but they will be still further increased when the Thames Embankment and the new railway station are opened. If something be not done we shall add a considerable quota to the already too-numerous list of accidents which every year occur in the streets of London. I hope the right hon. Gentleman will take this matter into his consideration, and will do something to enable a Member to pass in safety from Bridge Street to the House of Commons. I think it is a subject well worthy of the attention of the right hon. Gentleman; scarcely a day elapses that some Member or other does not incur serious danger in endeavouring to reach the House of Commons.

Mr. TITE asked the right hon. Gentleman (Mr. Cowper) whether the able chemist appointed by the Committee had been able to suggest any expedient by which the stone used in the erection of the House of Commons could be preserved from decay? When the matter was inquired into by a Committee some years ago, a hope was expressed that the decay would, after a time, cease of itself. However, these hopes proved fallacious, and the stone, which had during the long summer ceased to decay, had, since the commencement of the recent wet weather, again began to decay. He did not think the Government were to blame for the decay of the stone; the decay was caused not by carelessness in selection, but by the London atmosphere.

Mr. COWPER said, he was glad the subject had been brought on by the hon. Gentleman opposite (Mr. Powell), who had shown a sound and artistic taste in his suggestions for the improvement of the metropolis. In reply to his first Question he begged to state that no alteration had been made in the designs for which money was voted last Session, although a good deal of time had been given to considering how the details of the plan should be carried out. The hon. Member had alluded to the fact that Sir Charles Barry had designed that New Palace Yard should form an inner quadrangle; and he was glad to find the hon. Gentleman was of opinion that the Government had exercised a wise discretion in not building upon the south side of Bridge Street and in leaving the space open in order that there might be a good view of Westminster Abbey from the Bridge. This large open space surrounded by noble architecture would become the chief feature of London, and supply its greatest need. The houses on the north side of Bridge Street had been scheduled by the Metropolitan District Railway Company, and would shortly be pulled down; but as that site was the property of the office of Works, he (Mr. Cowper) had stipulated that the buildings to be there erected should be in harmony with the architecture of the surrounding buildings. The proposal now was to put an ornamental railing along the north of Palace Yard of a light character, so as not to intercept the view. The lamps, at intervals, would naturally contribute to the decorations; and niches would be provided in which statues of statesmen might hereafter be placed. That of Sir Robert Peel would be placed near the present carriage entrance into New Palace Yard. It was proposed to make a porch and arcade at the foot of the Clock Tower, so as to give more dignity and massiveness to its base. This would answer for an approach to the subway about to be made from the Clock Tower to the opposite side of Bridge Street. That street being higher than the level of Palace Yard, the subway would not require to be much below that level. This subway would enable hon. Members to reach the House without incurring the risk of crossing a crowded thoroughfare. The property belonged to the Government. [Mr. Powell: And the road?] Yes the roadway is vested in the Commissioners of Westminster Bridge, who are also the Commissioners of Works, and Palace Yard was a part of the Royal Palace. The subway would take people to the other side of Bridge Street. There would be a flight of steps which would enable persons to ascend to Bridge Street, and thus reach Parliament Street without crossing. With regard to the stone it would be necessary that the facing of the Clock Tower should be of the same sort as that with which it would have to be united, so as to avoid the appearance of patchwork, and every care had been taken to select the best parts of the quarry. The other portions of the work would be executed in Portland stone, which experience had shown was the most capable of resisting the London atmosphere. As to the question of the decay of the stone of which the Houses were built, he did not take quite as hopeless a view of the matter as the hon. Member for Bath. The decay was only in particular places where moisture collected. Under Mr. Abel many solutions for excluding moisture and hardening the stone were being tested, and some promised to be successful. The eminent chemist engaged by the Committee had already tried several experiments with a view of checking the decay of the stone on the west front of the building.

MR. CAVE asked where the entrance to the passage from Bridge Street to the House would be?

MR. COWPER said, that the entrance to the House would be in New Palace Yard.

MR. CAVE wished to know if the use of the passage would be reserved for Members only?

MR. COWPER said, that the passage would remain in the hands of the Government; but it would be premature to say whether or not the public would, under certain restrictions, be allowed to use it.

SIR LAWRENCE PALK: Would the plans of the buildings now proposed for New Palace Yard be laid on the table of the House?

MR. GREGORY asked if the right hon. Gentleman had considered the propriety of giving hon. Members an access to the subway without exposing them to the inclemency of the weather?

MR. COWPER said, that he intended to propose in the Estimates of this year a Vote for an arcade from the Members' private entrance to the Clock Tower; and it would greatly improve the architecture of the lower block of building, which was rather bare at present.

GENERAL PEEL said, that before the Speaker left the chair he wished the House to come to a distinct understanding as to the course to be pursued. The noble Marquess (the Marquess of Hartington) would now make his general statement with regard to the Estimates, and would conclude by proposing Vote 1. As there were many military Gentlemen who were now in the House for the first time, and who would desire to take part in the discussion, it might be well to remind them that before the first Vote was taken they would be at liberty to make any general observations upon any military matters, but that after the first Vote they must confine themselves to the subject of the particular Vote before the Committee, and could not go back upon any particular Vote, although they might raise any question upon the Report. He would also remind them that they could not propose any addition to a Vote, although they might move to reduce it as much as they pleased.

The MARQUESS of HARTINGTON entirely concurred, but would suggest that it would be desirable that hon. Members should confine themselves upon the first Vote as much as possible to general subjects, and should leave matters of detail to be discussed upon the particular Votes to which they related.

Motion *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) 138,117 Land Forces (including 8,983 all Ranks to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions.)

THE MARQUESS OF HARTINGTON: Sir, I hope that in moving the Vote which it is now my duty to bring under the consideration of the Committee, it will be possible for me to trespass for a shorter time upon the patience of the House than has been necessary on some previous occasions. I entertain this hope because, in the first place, there are not many subjects on which any change has been made in the Estimates of the present year; neither have any great changes been made in the administration of the army. As the right hon. and gallant Gentleman has just observed, there are many new Members who take an interest in the administration of the army, and I have no doubt we shall have on many subsequent Votes full discussions which will render it necessary for me to enter in any great detail into this Vote. I will therefore proceed at once to the consideration of the Estimates which I have to move, and more particularly the first Vote—namely, the number of men.

The Estimates which we have laid upon the table this year show a reduction of over £250,000, as compared with the Estimates of last year. There are, I am quite aware, many hon. Members who think that a reduction of a quarter of a million on a sum of about £14,000,000 is a very trifling reduction. But I think they ought to remember that the reduction is made in a year succeeding four or five years in every one of which a reduction of the Army Estimates has been made—to such an extent indeed that since the Estimates for the years 1862-3 were brought forward a reduction of very little less than £2,000,000 has been made in the Estimates for the army. This reduction of a quarter of a million has been made notwithstanding several circumstances which would naturally cause an increase. We have had, for instance, to provide for a considerable increase in one item — the Commissariat, in consequence of the very greatly increased cost of provisions at home. We have also had to provide a considerably increased sum for the Militia, in consequence of several charges, which it was impossible for us to control, falling due this year. We have also, for reasons which I shall afterwards explain, had to provide for a considerable increase in the Vote for the Volunteers; and, in accordance with the decision of the House last year, we have had to provide for an excess of the Works Vote, in order not only to carry out the plan, but—as it was unmistakably shown to be the wish of the House—to carry on those works with all possible expedition. In the face of all these circumstances we have been enabled to make the reductions which we have carried into effect only by the termination of the war in New Zealand and the withdrawal of the troops from that colony. I am quite aware that our Estimates of last year were based upon the anticipations of a considerable reduction being made in our military force in New Zealand during the present year; I am also aware that the expectation has been to a very considerable extent disappointed. We anticipated that during the present year five battalions of infantry, besides a battery of artillery and military train, would have been withdrawn from New Zealand, and it was expected that they would have returned home by about the middle of the present financial year. That reduction has only just commenced, and up to the present time I think that only one or two battalions have returned; and therefore the considerable saving we anticipated from the withdrawal of these troops from New Zealand has not been realized this year. But I think we were quite justified at the time I moved the Estimates last year in expecting that the reduction would be effected. Positive directions had been sent out from this country that the force of infantry should be reduced by one-half, and all we had heard up to that time seemed to prove that the Colonial Government entirely shared in our view as to the expediency of making the reduction. It may be said that our calculations at present are as liable to error as those of last year; but I can assure the Committee that the instructions sent out from here to New Zealand are so imperative that I do not think there is any possibility of these being now misunderstood. I may also remind the Committee that the withdrawal of troops has already commenced, and that, according to the latest advices, arrangements have been made for withdrawing the remainder of the troops there employed. I am aware that criticisms have been already made upon the Army Estimates, pointing out that the reduction of £250,000 is a reduction to that amount on the Estimates which the House is asked to vote, and not on the net sum that will be required. I admit that there will be a reduction on the net charge of the army of only £6,500. The cause of the discrepancy between the saving of £250,000 on the Estimates and £6,500 on the net charge is that we have been obliged to reduce our Estimate of the extra receipts by the Exchequer by the sum of £230,000 or £240,000. That reduction has been entirely owing to causes over which we at the War Office have no control. It is owing to the diminution of the payments we expect to receive from the Governments of India and New Zealand. A considerable reduction has been made in the Imperial force next year to be maintained in India. As a large portion of the extra receipts is derived from the capitation grant of £10 per man for every effective, and £3 10*s*. for every non-effective, any reduction in the force maintained in India of course causes a considerable diminution in the extra receipts paid into the Exchequer, without at the same time enabling us to make any corresponding reduction in our Estimates. To show how this works I may explain, for instance, that the force in India is to be reduced by one battalion of infantry, and the return of that battalion to England will not only not enable us to effect any economy, but that battalion will itself come on our Estimates instead of the Exchequer being paid for it by the Indian Government. That Government has also determined to make a reduction in the number of men in each battalion; and the total reduction in the European force to be retained in India will amount to 5,000 men. But, although there will be this reduced number of men, and although the capitation grant will be reduced in consequence, it will be impossible for us to make any reduction in the charge for keeping up the Indian depôts—we cannot maintain these depôts at a less establishment than 100 men, and therefore the expense to which we are put on account of the charge in respect of which the capitation grant is obtained is not reduced in the same proportion—in fact, is not reduced at all. It may be said, this is a reason why the capitation grant should be revised; and I quite admit if the Indian Government intend to maintain a smaller European force than formerly in India, there might be some reason for revising the capitation grant. The period for which that grant was fixed will expire next year, and we shall, of course, take the best means we can to ascertain how far the capitation grant does adequately recompense the Government for the force retained in India. Now, as to the number of men we propose to be voted this year. There is no change whatever in the establishment we propose to ask for in the Artillery, Cavalry, or Guards. There is a very small, trifling change, in the numbers of the Military Train. The only portion of the service in which we propose to make any material alteration is the Infantry of the Line. Last year our Estimates were based on the assumption that there would be on our colonial establishment 41 battalions of infantry; and that there would be on the India establishment 53 battalions; leaving for the home establishment 47 battalions. That calculation was based on the assumption that five battalions would return from New Zealand; but, as I have already mentioned, that expectation has not been realized. The force abroad has been greater, and the force at home less, than we calculated. We expect in the course of this year that two battalions of infantry, in addition to the five we expected last year, will return home. One battalion will return from China and one from India. The establishment will then consist of 39 battalions for the colonies, and 52 for India, leaving 50 battalions at home. We shall then have 91 battalions abroad and 50 at home. The usual proportion it has been considered necessary to keep up has been one battalion at home for two abroad; and this year the number of our battalions at home will be considerably in excess of that proportion. If, therefore, we saw any very certain prospect that it would not be necessary to increase our battalions for service abroad, it might be possible to make some reduction in the number of battalions at home. But, as the Committee are aware, there are a great many valid objections to the reduction of battalions unless the Government felt very much convinced that there was no probability of requiring them in a short time. In the first place, a great many officers would have to be placed on half-pay; and in the next place such a step would put it much more out of their power by any other arrangement to raise any considerable number of men at short notice if it was found necessary to do so. Under these circumstances, we did not consider it expedient to reduce the number of battalions. The great accession to our numbers at home will enable us to make some reduction in the infantry, but we considered that it would be better to continue the system adopted last year of reducing the battalions which first return from foreign service, and which, therefore, will not be again called upon for such service for a considerable time—of reducing, I say, those battalions to a somewhat lower establishment, and of gradually raising their number before they are again sent from home. The proposal, therefore, we make this year for the establishment of battalions of infantry of the line at home will be to keep four of the battalions destined for next relief to the colonies at 760; to maintain five of those next for reliefs in India at 840 rank and file, which is the present reduced establishment for battalions in India; but to reduce—and this is where considerable reductions occur—to reduce the six last returned from foreign service to the establishment of 600 rank and file, and to reduce 35 which have either returned within last year, or whose renewal of foreign service is still distant to 680 rank and file. Twenty-four battalions for serving abroad will be kept as at present—namely, 800 rank and file, one serving at Ceylon at 950, and the next four to return at 680. These arrangements will give a force of infantry of all ranks for this year of 76,164, as compared with the force of infantry last year of 80,574, showing a reduction of 4,410 men. That is the difference in the establishment of the infantry regiments. The difference, taking into account the depôts, will be 123, which will give a total reduction of 4,533 men. The way in which the reductions I have mentioned are proposed to be carried into effect will be by reducing the battalions to which I have alluded, which are at home, by two companies each. This arrangement will be made more easy by the alteration in the organization of battalions at home last year, when the two depôt companies, which had been formerly separated from head-quarters were united to the head-quarters companies. In effect the change will amount to a reduction during the period of home service of the two depôt companies that were added to the head-quarters of the regiments during the last year. This arrangement, if carried out in 41 battalions serving at home, would place 82 captains and 164 subalterns on half-pay. We have, however, been desirous of carrying out these changes with as little inconvenience and hardship to officers as possible, and arrangements have therefore been made to obviate the inconvenience which might otherwise arise to regimental officers. The plan we propose is to give to the army 30 unattached lieutenant-colonelcies, and 30 unattached majorities. These will be given to majors and captains of long service and will of course provide for the vacancies of 60 reduced captains. The other 22 captains will remain supernumeraries on their battalions until an opportunity be found of absorbing them. The 164 subalterns will also remain supernumerary until opportunity be found of absorbing them; and with the object of absorbing them as speedily as possible, the intention is that alternate purchase and non-purchase vacancies will be employed for the purpose of absorbing these supernumerary subalterns. Of course, the reductions which we effect by these changes will not be so great as if the whole of these officers were placed on half-pay; but the expense that will be involved in granting 60 unattached commissions will only diminish the saving that would otherwise occur during the present year by about £3,000, and after the present year the extra expense involved will not very much exceed £1,000. It is expected that at least half of the supernumerary subalterns will be provided for during the present year, and probably the other half year. The extra charge that will be incurred if this course be adopted will only be a very temporary one, and I think the Committee will see that it will be quite worth the slight expense occasioned to prevent the great hardship and inconvenience which would otherwise fall on these regimental officers.

Hon. Members may wish to know what, after these reductions have been made, will be the force we shall have at home during the present year as compared with the force we had at home during the former year. Last year, although our anticipations were not altogether fulfilled, we provided for a force at home of Infantry, including Guards and depôts of regiments, of 59,624 men. The Guards at home for 1866-7 will number 5,953, and the Infantry 52,038, making together a total of 57,991. Thus, the force which we estimate that we shall have at home is only 1,633 below the estimated number for last year. As, probably, many hon. Members are aware, the army has been considerably below its establishment. The establishment which we propose for the ensuing year is fully equal to, if not larger than, the establishment which we actually had at home during any part of the present year. Having mentioned that our establishment has been below what we estimated, that the actual numbers have been below the establishment almost during the whole of this year, I must state to the Committee that there is another unfortunate cause of reduction besides those which I have already enumerated. A paper which will be placed in the hands of Members within a very few days will show that for some years past, in fact since 1861-2, although we have usually started on the 1st of April with a considerable number in excess of the establishment, we have by the 31st of March in the ensuing year generally borne a number considerably below the establishment voted for that year. In 1861-2, on the 31st of March, the number fell to 574 below the establishment; on the same day of 1862-3 it fell to 1,068 below the establishment; in 1863-4 it was 3,911 below the establishment; in 1864-5, it was 5,472 below the establishment, and on the 31st of March, 1865, it was nearly 6,000 below the establishment. Now, it is possible that in some of these cases the numbers have been allowed to fall below the establishment in consequence of anticipated reduction; but in some instances, I regret to say, the numbers have been below the establishment not only at the conclusion of the year, but also at its commencement. Our present system of recruiting has not sufficed to raise within the year the number of men required to fill up the vacuum. The Returns to which I have just adverted refer to a period of five years. We should, therefore, be scarcely justified in thinking that this deficiency in the number of men was owing to any exceptional causes in any one particular year. The effect has been a constant one, and consequently I am afraid we must look upon the cause which has led to it as permanent also. No doubt, during the five years to which I have alluded there were a very large number of men—larger than the average number—who became entitled to take their discharge under the Limited Enlishment Act at the expiration of ten years' service, in consequence of the very large enlistment which was carried on during the Crimean War; but we must remember that a period is still before us in which the proportion of men who will be entitled to take their discharge will again be very numerous. The Government, therefore, think that the time has come when some serious inquiry should be made as to the causes which have prevented our obtaining an adequate supply of recruits for keeping our army up to its proper complement. No doubt, if the Government thought there was an absolute necessity for such a measure, we might add to our military establishment by increasing the bounty; but that is an expedient which I believe should never be adopted except during the time of war. It is an expedient which, although it invariably has the desired effect of raising a greater number of men, brings with it considerable inconvenience and creates considerable evils; and we think it would be undesirable to raise the bounty during time of peace, believing as we do that such a step ought to be kept entirely as a resource for the time of war. Into what the causes may be which have led to this deficiency of recruiting I do not think it needful now to enter. It may be either that our system of recruiting is not adapted to the wants of the present day; or it may only be that the great rise which has lately taken place in the price of labour, and the great inducements held out to the class from which our recruits are drawn to engage in other occupations attracts them to other employments. It may possibly become necessary for the Government at some future period to offer either to recruits or, perhaps, to men re-engaging after the expiration of their previous terms of servitude some inducement in the shape of extra pay. But, Sir, the Government do not feel themselves justified in asking the House of Commons, upon the information which they at present possess, and which naturally is extremely imperfect, to increase the rate of pay for recruits or for men of ten years' service. All we know is, that if the proposal often made to this House were adopted, of increasing the pay of men of ten years' service by 2*d.* a day, the effect of it would be at least to cost the country an additional £200,000 a year; while, on the other hand, we have no means whatever of knowing what number of men it would induce to re-enlist. The Government, therefore, think that the circumstances which I have stated, and which they have had under their consideration, are of such a nature as will require action after we have been enabled to obtain sufficient information and evidence. What we propose in the meantime to do is to appoint a Royal Commission to inquire into the whole subject, the scope of whose inquiry will not only include our recruiting system, but will also embrace the operation of the Limited Enlistment Act. The Committee are aware that when my right hon. and gallant Friend opposite (General Peel) was Secretary of State for War, a Royal Commission was appointed to inquire into the present system of recruiting; but because, I suppose, the Limited Enlistment Act was not thought to have been in operation a sufficient length of time for an opinion to be formed of its results, the instructions then given to the Commissioners did not enable them to inquire into the working of that Act, neither did they enable them to do more than suggest changes and modifications in the enlistment system. Now, the instructions which we propose to give to the contemplated Royal Commission will not only enable them to inquire into the whole scope and operation of the Ten Years' Enlistment Act, but will likewise empower them to go as fully and minutely as they may think fit, not merely into any modification of the existing methods of recruiting, but into the consideration of all the various schemes which have at different times been proposed by different persons, military or civil, for improving our system of recruiting. I do not now offer any opinion as to whether that system can be improved or not, nor shall I say whether I incline to the adoption of a different system. All I can say is that the Commission will be left perfectly unfettered to inquire not only into the existing system, but into any other plan which any one may bring before it.

I think I have now stated all that is necessary in reference to the Vote which we propose to take for the men; and upon the next few Votes it will hardly be needful for me to detain the Committee at any great length. Although there has been a slight reduction in the Commissariat Vote, that reduction has been caused only by the withdrawal of troops from New Zealand and the consequent diminution in the item for the Commissariat, &c., in that colony. If you look at the Estimates, you will see a very large increase indeed made in one of the items of this Vote for the price of provisions at home in excess of the ration stoppages for the troops in England. This, of course, is an item over which we have no control whatever. It is caused by the high price of meat in this country; and, as I said before, if we had not been able to balance it by reductions in other items of this Vote, it would have caused a serious increase of expenditure. The next Vote to which it is necessary to call the attention of the Committee is that for the Militia. The numbers are the same as last year. We propose to call out the force for the same period for training and for the preliminary training of recruits as in the last year. But the Committee will see that there is a very large increase in this Vote, which is an excess that is not owing to any measure taken by us. It is almost entirely to the increased cost of clothing the Militia. Full dress clothing is given to the force every five years, and it happens that, it being now about five years since it was embodied, a great number of the corps are entitled to receive new clothing. The excess from this cause amounts to no less than £56,200 out of a Vote of £842,000, which the Committee will see is a very considerable increase. There is also a large increase in the Volunteer Vote, and that increase is again owing to causes entirely beyond our control. The excess, £13,200, is entirely caused by the increased number of men who are entitled to claim the allowances of £1 and £1 10*s.* for efficiency and for extra acquirements. On the 1st of December last year there were 178,000 enrolled Volunteers compared with 170,000 at the same date of the preceding year. The number of efficients last year was 133,000 compared with 123,000 in 1864; and 66,000 were entitled to claim the extra 10*s.* compared with 62,000 in 1864. These numbers are exceedingly satisfactory, showing, as they do, that the Volunteer force not only maintains, but also increases its number and efficiency. In order to be classed as an efficient a Volunteer, whatever branch of the service he belongs to, has not only to attend a certain number of drills in a year, but he has also to receive a certificate from the commanding officer and from the adjutant, who is in all cases an officer of the regular army, that he is well acquainted with his duties. In addition to this, the Inspecting Officer of Volunteers is obliged to certify to the efficiency of battalions or of companies collectively. Therefore, the men who are classed as efficients are not efficient in name only, but they must possess a considerable amount of efficiency in reality; and in this respect they are very different from the effectives who existed before the passing of the late Volunteer Act, when almost nominal attendance at a certain number of drills would make one. I come now to the Vote for the Manufacturing Department, in which no change of any importance has been made, but the consideration of it has included that of the ordnance question. Since last year the Committee which has been so long engaged deciding between the rival claims of Sir William Armstrong and Mr. Whitworth, has presented its Report, which we laid on the table of the House on the first day of the Session. It is very voluminous, and it may yet be some time before it is in the hands of hon. Members. Some may have expected that the Report would assign superiority to either the Armstrong or the Whitworth system; but it will be seen that they could not by any means have assigned absolute superiority to either inventor. They have, however, put on record facts which are most valuable as to the positive and relative merits of both systems. They show that either system possesses quite sufficient strength to be applied to any gun for heavy charges of powder and large projectiles; they also show that the rifle system adopted in either—the hexagonal system of Whitworth and the polygroove system adopted by Armstrong in his breech-loader, as well as his stud muzzle-loading gun — possess quite sufficient accuracy to be adopted as service guns. The Whitworth system has proved itself to be a good one. No doubt Whitworth guns made of steel will stand enormous charges of powder; but the difficulty in the adoption of this system is to find the quality of steel it requires and to test the quality before manufacture. On the other hand, Sir William Armstrong has also proved that his system of constructing the barrel of the gun of steel, strengthened outside by hoops of coiled iron, is sufficient to ensure the endurance required. No doubt the system of rifling advocated by Whitworth produces at extreme ranges the greatest amount of accuracy; but the system advocated by Armstrong, and adopted by us in the guns made on what is called the Woolwich system, while it possesses all the accuracy which can be required for heavy guns at the distance at which they are likely to be used in actual warfare, has the advantage of firing a larger projectile, which is more destructive in its effects upon a ship or fort than are the Whitworth guns. However, as I have said, the Report will show that both systems possess great merit, and that the guns constructed upon either possess quite sufficient merit to enable us to adopt them, and both have got their advocates in the two services. In the navy many entertain a preference for the Whitworth gun, which they consider is more simple than the Armstrong or the stud; in the army a great majority of officers are in favour of the Armstrong or the stud system. Under all these circumstances, of rival claims and undecided superiority, and considering that it might be very long before it might be possible to decide which system was absolutely the best, the Government thought that the time had arrived when Mr. Whitworth had so far established his case as to give him a claim for a practical trial of his system in the service. Therefore, two Whitworth 7-inch guns have been ordered for trial in the navy, and 20 to 25 9-ton guns, now in the course of construction at Woolwich, are to be rifled on the Whitworth plan. There may be some inconvenience in having two systems of rifling in use in the service at the same time, and it is an inconvenience which no doubt would be very great when applied to small arms or field artillery; but the inconvenience is very much less when it occurs in large guns, of which a much smaller number is required; and there will be no difficulty whatever so long as the guns rifled on the Whitworth system are placed on board ships which remain at home stations, or at stations where they can easily be supplied with the projectiles they require. There is no present intention of adopting the Whitworth system for the guns applied to the land forces; and, of course, the experience gained by the use of Whitworth guns on board ship will guide us in the future. Should experience establish their superiority on board ships there will be no difficulty in introducing them. During the time that the Armstrong and Whitworth controversy has been going on, we have, as the Committee are aware, not been altogether standing still with respect to the manufacture; we have not, however, been manufacturing faster than was actually necessary, because improvements have been made from day to day in these large guns, and it may not unreasonably be expected that further improvements may be introduced. We are, therefore, only manufacturing such a number of heavy guns as is actually required. We have already on board ships in the navy, or finished ready for issue, 30 of the rifled guns of 12 tons, 27 of the 7-inch guns of 7 tons, and 229 of the 7-inch guns of 6½ tons, which are the 7-inch guns almost universally adopted in the navy. Then we have in hand at the factory—and the greater part of these guns are nearly finished, or are only left unfinished in consequence of the Report as to rifling being delayed—one 13-inch gun of 22 tons, 46 9-inch guns of 12½ tons, 76 8-inch guns of 9 tons, 23 7-inch guns of 7 tons, and 71 7-inch guns of 6½ tons. In addition to these, which will be finished either within this financial year or early in the next, and out of funds provided in the last Estimates, we propose, in the present Estimates, to make provision for the manufacture of 6 13-inch guns of 22 tons, and 100 9-inch guns of 12½ tons. This year, however, we do not provide for many additional 7-inch guns, because the manufacture of them has been proceeded with more rapidly than has been the case with regard to other descriptions of heavy guns.

COLONEL PERCY HERBERT: Are there any of the 200-pounder Armstrong guns?

THE MARQUESS OF HARTINGTON: That does not include any breech-loaders. There are no breech-loaders of a larger size than 40-pounders. And now I come to the question of small arms. When I brought forward the Estimates last year I hoped that by this time we should have arrived at some definite conclusion on the subject of providing the army with breech-loaders. The Committee is aware that we invited in the first instance the competition of various gunmakers in order to obtain some system upon which we might convert a certain number of the existing rifles into breech-loaders. The Report of the Select Committee appointed to inquire into the system of conversion submitted to it has been laid upon the table of the House, and hon. Gentlemen were aware that none of the systems brought under the notice of the Committee turned out to be in all respects satisfactory. None of the systems proposed at that time came up to the requirements of the programme which had been laid down. It was thought, however, that the system proposed by Mr. Mont-Storm, though it fell below the requirements of the War Office, was nevertheless possessed of considerable advantages, the chief of which was that guns converted under that system could not only be used as breech-loaders with a certain kind of ammunition, but, in the event of the failure of that kind of ammunition, they could be used as ordinary muzzle-loaders. This circumstance induced us to give the method a trial, and we accordingly directed Mr. Mont-Storm to convert 2,000 arms, in order that they might be placed in the hands of the troops, with a view to a practical trial of the system. I regret, however, to say that since the delivery of these arms several defects have been discovered in them. One is that the ammunition provided is unsuited for rough service, the skin cartridge not being sufficiently durable. Then, again, the arms have not passed the proof in a satisfactory manner. The contract with Mr. Mont-Storm, therefore, has been suspended, and I do not think it is at all probable that the Mont-Storm conversion will turn out what we could wish. One of the systems of which the Committee reported most favourably was that of Mr. Snider. It has been tried by Mr. Snider himself, and with his assistance by Colonel Dixon and Colonel Boxer at Enfield and Woolwich. He has overcome many inconveniences in it which were pointed out in the first instance, and as far as accuracy is concerned, the rifles converted on the Snider system and loaded with cartridges prepared at Woolwich, shoot as well up to a considerable range as our small-bore muzzle-loaders. The trials of the Snider system have not quite concluded, but they have been carried on so far and so satisfactorily that I think I may state that the system is one upon which some of our Enfields can be converted into breech-loaders. At the same time I hesitate, after the failure of the Mont-Storm system, to express a positive opinion on the subject. Still, I believe that we shall be able with considerable rapidity to convert a considerable portion of our Enfields into breech-loaders on Mr. Snider's system in the course of next year at a cost of not more than 12*s.* to 15*s.* per arm. While we were considering the question of the conversion of rifles, we also took measures to provide, if possible, a pattern of a breech-loading arm to replace the arms at present used by the troops; and in order to obtain the best information we could we drew up a statement showing what qualities we required such breech-loaders to possess, and we also invited competition. A considerable number of gunmakers and inventors sent in arms in answer to our advertisement, but I regret to say that only a very inconsiderable number of the eminent men in the gun trade competed. A considerable number of the arms sent in fell far short of the requirements of the War Office. In fact, the Committee to which the matter was delegated reported that none of them fulfilled all our requirements, and that very few possessed such merit as to render a trial of them desirable. This result somewhat astonished us; but we thought it must be owing to something stated in our requirements which had deterred the most eminent firms from coming forward, and we subsequently issued a series of inquiries to the most eminent men in the gun trade with a view of obtaining some hints as to how we could get such a serviceable weapon as we required. The answers to those inquiries have been received and are now under consideration. I hope that from them we shall obtain some information as to the way of obtaining the arm we require. I may, perhaps, be allowed to say that we are not the only nation which is in a great state of perplexity on this subject. I believe that almost every nation is as anxious as ourselves to obtain a good breech-loader; but all nations have experienced the same difficulties in the matter as we have. The members of the gun trade say that everybody is waiting for the production of the military breech-loader which they expect for the future, and no country any more than our own will give any orders for rifles at present. The Emperor of the French decided, I think not less than eighteen months ago, that his army should be re-armed with a breech-loading rifle, and he laid down with considerable precision the requirements of the weapon; but the French army is no nearer being provided with such an arm than ours is. If, however, as I hope, the Snider system of conversion will enable us at a comparatively small expense to convert a considerable number of our present rifles we need not be in a hurry about the adoption of a new pattern, and I hope the information we may receive from the gun trade will enable us to have a good weapon ultimately.

Before sitting down I may say a few words on a subject to which attention has been called in the discussion of the Estimates—the establishments of the various departments of the army. Speeches have been frequently made by hon. Members, who have spoken as if those establishments absorbed a very large portion of our Estimates. Hon. Members who have paid attention to the Estimates will see that we have taken pains to show this year exactly what each establishment in every Department costs; and perhaps the Committee will allow me to say that for this and numerous other improvements in the forms in which the Estimates are presented to the House we are indebted almost entirely to the exertions of the Assistant Under Secretary, Captain Galton. They have been prepared not only for the information of the Committee, but for our own. They are presented in a tabular form, rendering it easier for hon. Members to judge upon the whole, and arrive at a conclusion as to any reduction that may be deemed necessary. I am anxious to state to the Committee that we have been for some time convinced that the charges of some of those establishments are no doubt greater than they ought to be; but the only way by which a more economical system can be introduced is to bring them more directly under the control of one head. The Committee will understand that the head of a department, such as the commissariat, or the purveyor's department, at any particular station, although he is subordinate to the General Officer, corresponds upon matters connected with the department with the head of his department at home. The General Officer at the station has many other important and arduous duties to perform, and consequently is not able to exercise any very minute supervision. This is not all; under the present circumstances it is necessary that each station should have an officer, or several officers of considerable rank. We have, therefore, made a proposal that a superior class of officers should be appointed at each station, to be called comptrollers, or by some similar name, who shall be placed at the head of the administrative departments. Each comptroller will be subordinate to the General Officer and responsible to him for the proper and efficient administration of the departments; and it will be his duty to advise the Secretary of State upon the organization of each department, and to point out where economy can be exercised. We have made our proposal to the Treasury, and I believe I may say that in the main they agree with the principle we propose. They have, however, put some questions as to various details which have not yet been decided, and therefore it was not possible to bring this system into operation in time for the present Estimates. The pains we have taken in bringing the various departments into prominence in the Estimates have not been without an object. In answer to my hon. and gallant Friend (Colonel Herbert), I may say that the change contemplated will be gradually brought into operation. We intend to try it somewhat experimentally at several stations, and only to adopt it on the condition of its effecting a saving in the expenditure. We shall first try the plan probably at one or two of the home stations, and experience will show whether it should be brought into general operation both at home and abroad.

Another question to which I wish to advert concerns our army in Ireland, about which we have heard a great deal during the last few months. From some quarters most alarming reports have reached us of the existence of Fenianism in the ranks of not only our army in Ireland, but among our Irish soldiers in other places. I am not at all prepared to deny that there has been a considerable number of men in our army, especially in Ireland, who have belonged to the Fenian organization. During the last year or two, however, large numbers of men have enlisted into the army; before doing so doubtless they were Fenians, and they may have enlisted simply for the purpose of corrupting their comrades and inducing them to become members of the Society. It may possibly seem strange, that when so many civilians have been tried very few soldiers have been brought to trial. [Colonel NORTH: There have been some.] There have been several. [Colonel NORTH: But they have not been tried before the civil courts.] There have been none brought before the civil tribunals. Now, there is no intention on the part of the commander of the division in Ireland to shelter men suspected of Fenianism, but the fact is that very considerable difficulty has been experienced in obtaining evidence to bring them to trial by court martial. It was suggested that accused soldiers should be put upon their trial with civilians charged with being concerned in the Fenian rebellion; but the evidence against them has not been strong enough to induce the Irish law officers to think it desirable that they should be tried in that way. Some soldiers, however, have been brought before a court martial; but I do not think any of their sentences have yet been formally submitted to the Queen for approval; and therefore it is impossible for me to state what those sentences are, or the manner in which they will be carried out. I will therefore only say that although I do not wish to deny that there has been a considerable amount of Fenianism in the army, the Commander-in-Chief, Sir Hugh Rose, has never had for a moment any serious doubt as to the general loyalty of the men. It is quite conceivable that a good many soldiers, drawn as they are from the class from which they must come, may be Fenians at heart; but it is also conceivable numbers may have joined them with the idea of getting a few shillings from the Fenian agents to be drunk in Fenian beer; but I do not think it follows because a man has enrolled himself, that when the time comes when he must declare himself on the side of the Fenians, or on the side of his comrades, he would prove false to his colours. On the contrary, I believe that the greater number of the reputed Fenians in the army would remain firm in their allegiance to Her Majesty. There is no doubt, however, that it is a subject which is not to be treated lightly. It ought to be most carefully investigated; and I can assure the Committee that nothing could have been investigated with greater care and pains than the existence of Fenianism in the army has been by Sir Hugh Rose. Although at first, as was natural, some officers were unwilling to believe that any of the men in the regiments under their command were Fenians, Sir Hugh Rose has had no reason to complain of the manner in which he has been supported and seconded in his inquiries. I am happy, also, to be able to say that within the last fortnight much better accounts have reached us from Ireland. The suspension of the Habeas Corpus Act appears to have had as salutary an effect in the army as it has among the civil population. Since the disappearance of the American agents there is much greater facility in obtaining information with respect to Fenian societies in regiments, and there is a marked improvement in the tone of some of the detachments amongst whom Fenianism was supposed to exist. In future we shall have very little difficulty in obtaining sufficient evidence to procure the conviction of soldiers belonging to the Fenian societies; and I may further say that Fenianism in the army has received a blow from which it is not likely soon to recover.

There is, I believe, no other subject on which I need detain the Committee, and it only remains for me to thank them for the great patience with which they have listened to the statement which I had to make. I have not even attempted to indicate the questions on which the discussion on the Army Estimates ought to turn. I have mentioned those simply which I thought required explanation; but I shall be quite ready to afford to the Committee any information which I can on any of those points on which I have not touched. The noble Lord concluded by moving—

> "That the number of Land Forces, not exceeding 138,117 men (including 8,983 all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions) be maintained for the Service of the United Kingdom of Great Britain and Ireland from the 1st day of April 1866, to the 31st day of March 1867, inclusive."

GENERAL PEEL: Whatever differences of opinion there may be as to the merits of some portions of the Army Estimates, there can, I am sure, be none as to the great clearness of the speech of the noble Lord, or as to the gratification with which the Committee have learnt from his concluding sentences that neither the Commander-in-Chief in this country nor the Commander of the Forces in Ireland entertain doubt as to the loyalty of the great body of the Irish soldiers in the army. I now proceed to deal with the Estimates themselves. When the Estimates for last year were brought before us we were informed at the bottom of page 3 that there was not only a decrease in the amount of money to be voted by Parliament, but also a further decrease in the total charge on the Exchequer on account of the estimated extra receipts, &c., to be paid into the Exchequer. The noble Lord argued then, and I think justly, that this constituted the real diminution of the Estimates; but he now tells us that his estimated decrease for the present year has been reduced from £253,000 to the modest sum of little more than £6,000. It is, however, very difficult to ascertain what the exact amount of the reduction is, because, if you look to the bottom of page 3, you will find the total amount of extra receipts and payments for the year 1865-6 set down at £1,703,440; whereas, if you turn to page 7, you will find them set down at £1,625,341, making a difference of upwards of £70,000 between the two statements. I go a little higher in page 7 and I find in the comparison of these Estimates with those of 1864-5 an error in subtraction to the amount of £300,000. Last year there was an error in addition in the Estimates to the extent of £400,000; so that, whatever may be the merits of competitive examination, those by whom these Estimates have been drawn up do not appear to have made much progress in the first three rules of arithmetic. [The Marquess of HARTINGTON: Where is it?] You give the expenditure as per final account for 1864-5 at £14,642,310 19*s*. 7*d*., and the extra receipts and re-payments for the same period at £1,308,600 1*s*.; now if you deduct that from the previous sum the product is £13,333,710 18*s*. 7*d*., and not £13,633,710 18*s*. 7*d*. as given. But, be that as it may, I for one attach very little importance to the comparison of the Estimates for the present with those of the preceding year. We have no opportunity of ascertaining whether our expenditure in the other case will correspond with the amount at which it was estimated, because from fifteen to eighteen months elapse before the audited accounts are laid upon the table, and then no one takes the trouble to examine them. When, for instance, the Army Estimates were brought forward last year, I ventured to make two predictions with regard to them; I pointed out that the decrease depended upon the proposed withdrawal of troops from New Zealand, and my first prediction was, that they would not be withdrawn during the financial year, and consequently the saving would not occur; and my second prediction was, that this year the noble Lord would come down and propose another reduction of men, not because he did not require them, but because he could not get them. And I venture now to predict that, when the audited accounts of the present Estimates are laid upon the table it will be shown that the excess of expenditure on account of New Zealand will be made up of the saving arising from the want of the proper number of men to complete the establishment. It is no doubt satisfactory to find that we shall not be required to vote more money; but, at the same time, it shows that no reliance can be placed on the Estimates. Now, I ask the Committee to boldly look the facts in the face. It is evident that the want of the requisite number of men proceeds from one of two causes—either that our population is not sufficient for our requirements in time of peace (which I, for one, do not believe) or you do not hold out sufficient inducement for men to join the army. It is not from want of warning that the present lamentable state of things has come to pass. I have myself, year after year, said that the effect of the ten years' limited service would be to render it impossible to raise the number of men we require. I am not, at the same time, one of those who desire that we should have recourse to a long period of enlistment; but when you enlist men for the cavalry and artillery for twelve years, you find that they re-enlist much more readily than those who enter the service for a period of only ten years. I have always, I may add, desired to see more intimate relations subsisting between the Militia and the Line. I should like, if possible, to secure for the former force those men who will not re-enlist in the latter; but, as all these points are to be considered by a Royal Commission, I shall not advert to them at greater length. The noble Lord told us, with respect to officers, that the reduction was to be prospective; but I must say that I rather doubt the advantage to the country or to the individuals themselves of the proposed promotion on half-pay. After the Crimean War, for instance, all those officers who had obtained brevet rank in consequence of distinguished conduct in the field were allowed to convert it into substantive rank, and the result was, I believe, that 200 captains, young men who should have been retained in the service — who had obtained their promotion not by purchase, but by distinguished services in the field — became half-pay majors, and remain to this day unemployed. Although the system may be popular in the army, depend upon it that in the long run this placing of officers on half-pay will not expedite promotion; because it will be the duty of the Secretary of State to press the Commander-in-Chief to reduce that half-pay list by bringing in officers from it; indeed, whenever there is a half-pay list, it should be insisted upon by the Secretary of State for War. I have heard that part of the expense is to be met by selling first commissions, the amount of which is to go to the Army Reserve Fund, and I think the time has arrived when the House should appoint a Committee to go into the question of the Army Reserve Fund, and to ascertain from what sources it is derived, to what purposes it is devoted, and what effect it produces on the system of purchase in the army. The attention of the House was particularly directed to this fund by the Report of the Commission on Military Organization, and it was admitted on all hands that the principle on which it was based was bad, although it has, no doubt, in many instances been productive of beneficial results. Its real effect, however, is to produce a Government sale of commissions to such an extent as to render almost every commission one for purchase; and to diminish the number that can be obtained by competition at Sandhurst, or given away to deserving non-commissioned officers. It must be obvious to every one that the greater number of commissions that can be offered for competition the greater and better will be the number of candidates; and I am perfectly certain that there is no better method for encouraging recruiting and obtaining a better class of recruits than to give commissions from the ranks. I am not adverse to the principle of purchase, but I am to the Government dealing in it to the extent they do, and more particularly with first commissions. I should have thought that certainly this was not the time at which any one would have proposed to reduce the army. I think it would not be at all wise to discharge any of our well-drilled soldiers. I quite approve the proposal to reduce the number of companies from twelve to ten, because such is the present weakness of the army that in order to make up eight or ten companies you have to break up the others. It is a lamentable fact that our army is diminishing from 6,000 to 10,000 men annually, and the reduction in the present instance is a mere scratching of the pen through numbers on paper who do not exist, and notwithstanding this reduction of 4,360 men, there will be in April a deficiency of 1,000 men on the British establishment. How the reduction in the Indian establishment is to be effected I do not know, for according to the Estimates there is only one regiment to be withdrawn without relief. Let us take it in a financial point and see what the effect of the reduction will be in respect of money voted by Parliament. In the general staff and regimental pay, allowances, and charges you have a decrease of £72,167, and in the commissariat establishment services and movements of troops a decrease of £71,000, making together £143,167. But the sum to be paid into the Exchequer this year as extra receipts on these items is less than the amount paid in on the same account last year by £230,740; so that the Chancellor of the Exchequer will find that he will this year have to pay £87,573 more on account of these two Votes than he had to pay last year. Then we have New Zealand, which always does serve for an excuse. Two years ago the war in New Zealand was the excuse for the great expenses we were then called upon to defray; but at that time a portion of it was to be made up for by not calling out the Yeomanry. After a division in this House, in which the Government only got a majority of two, good news came from New Zealand; the Government were able to reduce the Votes, and the Yeomanry were called out. The Committee will recollect that a very numerous deputation waited on that noble Lord (Viscount Palmerston) whose loss in this House no one more deeply laments than I do, and he had the good sense to come down and announce that the Yeomanry would be called out as usual. But the good news which enabled the Government to take that step was not realized during the whole of that year, nor during last year. I do, however, hope that there are better grounds for hoping that it will be realized this year, and that the inglorious war in that colony is now at an end. I cannot see why the colonists should not have conducted the war themselves in the first instance, as they will have to do now. In Vote No. 2 is a small reduction on the Consolidated Allowances, which is accounted for by the withdrawal of a regiment from China. I am afraid that the word "withdrawal" is a mistake—there are very few men of that regiment to withdraw. As I know my hon. and gallant Friend the Member for Oxfordshire (Colonel North) has taken this question up, and that it will be fully investigated, I will not try to fix blame upon any one; but nothing that took place during the Crimean War—nothing that ever took place on the coast of Africa—exceeded the neglect exhibited in this case. There is a Vote which my noble Friend has not referred to—it is that for the Army of Reserve; and again I repeat my question—"Where is the Army of Reserve?" It is stated that the body of Enrolled Pensioners is decreasing; and I think it would be well if they disappeared altogether. At the time this corps was established circumstances were quite different from what they are now. At that time we had no Volunteers at all; and I very much doubt whether the Militia had been called out, but, if the pensioners be fit for any service at all now, it would be better that they should do duty with the Militia. I trust that this will be one of the first reductions to be made. I come now to the Votes for the Manufacturing Departments and Warlike Stores, the two Votes, next to the Vote for the number of Men, on which the whole of our military expenditure depends. I believe that if we took the whole of the Estimates for the present year and compared them with those of our highest expenditure in 1861-2 the difference between them would be found to correspond pretty nearly with the difference in these two Votes. The large expenditure on these two Votes during the past six years has been attributed to the necessity of making a great change in our guns and warlike armaments. Now, if we have effected a change for the better I would not complain of the money that has been spent; but I fear we are at this moment in the same position as when we started,—we are yet waiting for a proper pattern. I do not blame the War Department in the least for the hesitation they are displaying in adopting a pattern. I think the longer you can wait, consistently with safety, the better chance you have of getting a thoroughly effective weapon. It is better to take time in the final adoption of a pattern than to go head over heels in the affair; but I believe that, while you are making up your mind, there are several patterns in existence so superior to that with which our men are armed that a battalion so armed could not stand before half a battalion armed with breech-loaders. An hon. Member (Mr. Dyce Nicol) has given notice of his intention to call the attention of the House to some American rifles. I have heard of a rifle called the Henry rifle—not the English one, but an American rifle. It is said that two companies armed with this weapon would be a match for a whole regiment. It is also told of a Federal soldier that, armed with this rifle, he met four Confederates—he was called upon to surrender; but he shot three of them immediately, and the survivor surrendered to him. I do not attach much importance to the accounts given by proprietors or inventors; but I will tell the Committee a circumstance to which I do attach importance. The Swiss Government being very anxious to procure the best rifle possible, offered a prize of £800 with that object. I think they got no less than eighty different patterns, and though none of those came exactly up to what they required, it appeared to the Committee who had the adjudication of the matter that the American Henry rifle was far superior to all others exhibited in competition with it. I am sure the Swiss Government would give every information on the subject to Her Majesty's Government, who, no doubt, will readily give them every facility for obtaining a knowledge of improvements in our establishments. If you attach any importance to the matter do not send it to a Small Arms Committee, from whom, probably, you will never hear anything more about it; but get a thousand stand of the rifles and send fifty to each of twenty regiments of the Line to be used during the approaching field day and reported upon for every quality. Why I call attention to these particular Votes is in order to express my opinion that until you have the best ship and the best arm, you will only be deceiving yourselves if you expect any great reduction of the expenditure of your army and navy. There is only one other Vote to which I will call attention. It is the one which always attracts the greatest amount of criticism—namely, the Vote for the Administration of the Army. I believe the House would much rather see an increase to promote the comfort of the combatant portion of the army than an increase for the civil branch of the War Department. And I must say it is with astonishment I see that this Vote for the present year amounts to exactly the same sum as it did last year; although, to the Vote for Superannuation Allowances there is a most extraordinary addition, in consequence of the number of War Office clerks placed on annuities. Mind you, I do not find fault with the superannuation system; but, when I see the names of young men of forty, or a little more, who have been allowed to go out on £300 or £400 a year, and when I perceive in this list some whom, from my own experience of the Department, I know to have been among the best men in the office, I cannot but think that when he took credit for the great care exercised in respect of the details of the various branches, the remarks of the noble Lord did not apply to this Vote. I do not believe that the list gives the whole of these retirements, and I certainly think that a great loss to the office was occasioned by the retirement of the first-class clerks. I hope the noble Lord will devote his first attention to the endeavour to put his own Department in a better position. I will not detain the Committee longer, because I know that there are many military officers present—Members of the House for the first time—who are anxious to address the Committee, and whose recent experience and acquaintance with the service entitle to them to great attention. The hon. and gallant Member for Berkshire (Sir Charles Russell) has a plan to suggest than which nothing would conduce more to the comfort and happiness of the soldier.

MR. O'REILLY said, he could not congratulate the noble Marquess on the Estimates he had brought forward this year, because they exhibited no approach to that economy to which the House had for some years looked forward. Some years ago the right hon. Gentleman who had just spoken (General Peel) stated that £100 per man was the standard of expenditure for the army, and had pointed out how little change had occurred in that expenditure, no matter what change was made in the Estimates. He (Mr. O'Reilly) was prepared to show that there was a considerable increase in the absolute expenditure. After the drawbacks were taken away, he found that the expenditure had increased £5 per head for every effective man. There was no reduction except in the men, and they had reduced themselves. Taking £100 per man as the cost, there ought to be a reduction of £400,000 consequent on the reduced number of 4,000 men; but although the nominal reduction was £253,000, the actual reduction was only £6,000. While the expenditure went on increasing the soldier was no better off, and the noble Marquess had pointed out that a serious question was beginning to arise as to whether it would not be necessary to pay our soldiers better; but this would certainly not be afforded by the Estimates. He could show that in many of the Votes where there was an apparent decrease it was not real. For instance, in Vote 3 there was an apparent decrease of £119,856; but on turning to page 20 it would be found that there was an increase in repayments of a far greater amount—repayments which were not made in other years. With regard to the proposition to place a large number of officers on half-pay, that would not only cause an increase of expenditure, but would be a positive disadvantage to those officers, for it would put a number of effective officers on half-pay; it was uncertain whether they would return to active duty, and if they did return to their regiments they would create discontent among those over whose heads they were placed, by delaying their promotion. He could add nothing to what had been said as to the evils attending the present administration of the Army Reserve Fund. He thought a full and searching inquiry into that subject was necessary. He regarded it as an indirect mode of putting patronage and commissions at the disposal of the administrators of the army, and he contended that such patronage should be direct. Let the Government declare that a certain number of commissions should be placed at the disposal of the administrators of the army, but let the House know how they were disposed of. He wished to ask one question—namely, whether the twenty-two captains who were to be absorbed were to be taken into the strength of their own regiments or into the army generally? He had heard with little surprise the explanations given by the noble Marquess as to facts which were likely to be obtained from the Returns regarding recruiting. The object was to ascertain how many men were asked for every year and how many were got. We had been told that the number deficient had been gradually increasing year by year from a minimum of 400 until it had reached no less than 4,500 a year. At this rate it would be easy to calculate how soon our army would disappear altogether. However, he had heard with satisfaction that a Commission would be appointed to inquire into the whole subject of recruiting, and he hoped that such a Commission would inquire into it in a large sense, and not so much as the last Commission did with a view to coopering up and repairing the present system, but going into the principles and considering the basis of the present system with a view to the establishment of a really good system, and on a permanent basis. The noble Marquess had mentioned different proposals which might be suggested to increase the number of recruits. One mode was by increasing the bounty on enlistment. He (Mr. O'Reilly) heartily agreed with the noble Marquess in condemning as unsound that method of raising men; and it did not seem certain to him that the proposal to give extra pay on re-enlistment would involve the increase of expenditure that had been stated, unless it was certain that the men would re-enlist, which was very doubtful. He concurred with the hon. and gallant Member for Huntingdon (General Peel) in the statement that what was essential was to increase the term of enlistment, not to twenty years, but to twelve; and he would supplement the right hon. and gallant Gentleman's remarks on the advantage of an intimate relation between the Militia and the Line, by suggesting that in certain cases the men should be allowed to complete a portion of their time by enlistment in the Militia. He also concurred that it would be expedient to give increased pay to good men—not to every man indifferently—on re-enlistment; that increase to be granted not only on account of the act of re-enlistment, but also for good conduct and length of service. As a further inducement for re-enlistment, he would offer increased facilities for marriage. He knew that there existed a great feeling against having a large number of married men in the ranks, and it certainly was desirable that men whose lives were exposed to danger, and who moved about to many quarters of the globe, should be fettered with few ties, so that their premature death might bring sorrow and desolation to as small a number of persons as possible. It was, consequently, right not to have the great bulk of the army married. But the class of men who severely felt the impediments offered to marriage in the army were not the mere recruits, but the soldiers who had served a long time and were inclined still to continue in the service, and having arrived at that time of life when men in other professions married, they thought that they might be allowed to marry also, as a reward for their good conduct and prudence. To grant facilities to marry in such cases would be the greatest possible inducement to re-enlistment, and would not materially interfere with the discipline of the army. He heard with regret, that although largely engaged in manufacturing guns, the War Office were yet undecided as to what gun they would adopt. It was quite time that a definite conclusion were arrived at; and the best conclusion, in his opinion, would be that they should not manufacture any more guns for a time; for he believed the resources of the country were so great, both in our public and private establishments, that we might safely refrain for a time from the manufacture of weapons until the description of weapon to be manufactured had been definitely decided upon. With regard to the question of economy, it was a matter of regret, that while reducing the Estimates, which involved the number of men employed, no provision had been made for a reduction in the items of military education and the administration of the army. It was impossible for an independent Member to propose reductions affecting the administration of the army, because the useful and the useless were so mixed up together that it was only the Executive who could practically carry out reforms. All an independent Member could do was to show that the Estimates under particular heads were excessive. Public opinion out of doors must influence the preparation of future Estimates, and it was not by the action of individual Members that they could hope to control or cut down the Estimates after they had been presented to Parliament on the responsibility of the executive Government. On both the heads he had mentioned—namely, military education and the administration of the army, the Estimates were excessive, and greater economy might be introduced with advantage. At a later period in the Session he intended to call attention to the present mode of conducting the reliefs of the army in India.

SIR CHARLES RUSSELL said, he desired to call attention to the very large expense connected with the musketry instruction as at present carried on throughout the army, and especially to that portion of it which related to the maintenance of the schools of musketry at Hythe and Fleetwood. No doubt very effective service had been rendered by those establishments to the army. If they did not originate, they had organized and distributed through the army a system of musketry instruction which we were totally without before. But having done so, and the system being thoroughly understood from one end of the army to the other, there was no reason why these very expensive establishments should be longer continued. In our various trials there was one system which in all the organization of the army had never yet broken down, and that was the regimental system, and there was no reason why the system of musketry instruction should not be carried on hereafter in precisely the same way as the system of drill. No doubt, if changes were suddenly made great inconvenience might be sustained; but the nine inspectors of musketry, who were more numerous than was required for the whole French army, and were chargeable to the amount of £3,560, could be retained for the purpose of supervising the system while it was undergoing a change to regimental instruction. So anxious was he to be informed of what was going on in France that he had communicated upon this subject with Général d'etat Major de Vaudrimez Davoust, to whom he had put certain questions. The questions and answers he would read to the Committee—

> "Question: How many Schools of Musketry have you? Where are they; and how are they composed?—Answer: There is only one School of Musketry (*perfectione*). It was established at Vincennes, but this year has been moved to the camp at Chalons. It is composed of the commandant, a *chef de bataillon;* professor, captain of Artillery; assistant-professor, captain of Artillery; assistant to the commandant, a sub-lieutenant. Question: How much do they cost yearly?—Answer: The expenses of material are insignificant. The professors and pupils being all military men receive the pay of their rank, augmented by a slight indemnification. Some gratuities are also given to the best shots."

[He then read an extract from the last edition of *The Manual of Musketry for the British Army*, and called attention to the fact that the word recruit, when used in musketry instruction, was not confined alone to the raw levy just taken from the plough tail, but applied equally to the veteran, upon whose breast were the records of many a hard-won fight.]

> "This exercise is to accustom the recruit to the report caused by the explosion of the percussion cap, and to give him steadiness. The instructor is to watch the recruit minutely in this practice, which must be continued until the tendency to wink is overcome, and he becomes so perfectly indifferent to the report that the composure of the countenance is not in the slightest degree disturbed. Should the instructor meet with difficulty in teaching any of the recruits to aim correctly, or should he find any of them snapping in such a manner as to destroy their aim, he is to cause them to snap caps—aiming at the wick of a lighted candle, placed about a yard from the muzzle of the rifle, when if the aim is properly directed the candle will be blown out."

The treatment which some of our troops received in reference to instruction of this kind bore very hardly upon them. The 89th Regiment, which served with considerable distinction at Sebastopol, and which was subsequently employed in suppressing the Indian Mutiny, returned home last autumn from India. The colonel applied to the commanding officer at Hythe not to require the men to be put through the ordinary course of instruction in consequence of the inclemency of the weather, and his representations were backed by those of the medical officer of the regiment. But so important was the system considered that the application was overruled, and throughout the months of October, November, December, and January this regiment of soldiers was put through the course, and he left the House to judge what their sufferings were in consequence. The musketry instructor in the end was so completely laid up that he obtained a medical certificate and went away. When such treatment was received by the men was it a matter of surprise that the ten years' men should be found quitting the service when they had an opportunity? In one of the books issued for the guidance of the army, and which every officer was expected to possess, the necessity of making a man shoot well was strongly enforced, and it was laid down that a soldier who could not shoot was useless, and was an incumbrance to his battalion. On the 12th of May, 1859, the Emperor Napoleon had made the following order of the day on taking the command of the army of Italy:—

> "The new arms of precision are only dangerous from a distance; they do not prevent the bayonet from being, as heretofore, the most terrible weapon of the French infantry."

But since that was written the American war had occurred. It was most destructive in its results. America was the country of rifles, and both the North and South were armed with that weapon; but the bayonet appeared to have been the most successful weapon of those engaged in it. Colonel Lippit, a good authority, had made the following observation in his work, entitled *Tactics of the Three Armies*, published in New York last year:—

> "One cause of the indecisiveness of the results obtained in many of the battles of the late war, as compared with the great loss of life on both sides, has been that the opposing battalions were too often kept firing at each other at a distance, both sustaining nearly equal loss, until the ranks were so weakened as to disable either party from making a vigorous and decisive charge. When made

resolutely, and without slackening the gait, bayonet charges have succeeded in nine cases out of ten. The bayonet is usually more effective than grape, canister, or bullets."

But it should be remembered that the phrase, "using the bayonet," does not actually imply crossing the steel; but the pressing to close quarters by which one body of resolute men dislodge another body of men somewhat less resolute. He would also refer to a statement made by Dr. Russell, the correspondent of *The Times*, who said—

> "The experience of the American War is certainly in favour of those who maintain that fine and long shooting cannot and does not decide a serious affair in any campaign, and, though it is highly desirable that soldiers should shoot well, it is of far more consequence that they should be steady, courageous, and well-disciplined."

And the words of the text book said that a soldier who could not shoot was useless and an incumbrance to his battalion. Colonel Fletcher, the author of a history of the American War, had said how desirable it was that some means should be devised whereby men could be supplied with ammunition during action. On page 177 of his second volume, in allusion to the failure of the Federals at the Battle of Antietam, the following passage occurred:—

> "There seems to have been little method in bringing the several divisions into action, or with supplying them with ammunition on the field; each successive line moved to the front, fired as long as their ammunition lasted, and then gave way to a fresh line, except when pressed by the enemy, when, as was the case with Hooker's corps it broke and fled."

The same absence of any system for supplying troops under fire with ammunition was felt in the English army, and up to the present time no attempt whatever had been made to devise a system which would mend the defect. He could speak from his own knowledge upon that point, for he had commanded in a case where he had felt the necessity of some such system. Colonel Fletcher made mention of the want in another portion of his book. At page 440 of the second volume he wrote—

> "A well-organized method of supplying troops with ammunition in the field, and of replenishing its increased expenditure, is another difficulty that requires preparation to meet, and which does not seem to have been sufficiently considered by the Northern Generals."

He would, before sitting down, call the noble Lord's attention to a paragraph he had copied from the *Army and Navg Gazette* of the 3rd instant, in which it was stated that a young officer of the 95th had been brought before a medical commission suffering from intermittent mania, which first manifested itself by his stating that the rifle drill was all d——d nonsense. Now, although he did not go so far as that young officer in condemning the rifle drill, yet he thought there was not a single officer in the army who would not sympathize with the sufferer if he were put into a lunatic asylum for having made that observation.

COLONEL NORTH said, he desired again to call the Committee's attention to what he felt was the fault of the ten years' system. The noble Lord had made the following statement:—

> "The Limited Enlistment Act is working exactly as we had reason to suppose it would. The proportion of men who re-enlist after taking their discharge remains exactly the same as it was at first, about 60 per cent."

That was to say that 40 of the best men out of every 100—those whom the officers most wished to retain—were lost to the army; and these were the men who were most eagerly received into the police force or on the railways, or into any other post of trust out of the army. Then, if they examined into the treatment of the men who re-enlisted, what did they find? A warrant of the 9th of June, 1864, showed that a soldier on re-engagement was to receive a fresh bounty of £1, and allowance of £2 in lieu of a free kit, and a payment of 1*s.* a day for twenty days, so that he received £4 altogether. If he were engaged at head-quarters, or the depôt of his regiment, for a second term he would be entitled to a gratuity of £1, and a furlough of two months. But everyone who knew the character of a soldier would understand that this money would go in the course of two or three days, and the re-enlisted but experienced soldier found himself side by side with the raw recruit and with the same pay. An increase of pay would, in his opinion, be infinitely preferable to this system of allowances. Anxious that the country should know the cost it was put to in bringing home soldiers from the different stations after ten years' service, he had moved for a Return which had recently been presented. It showed that 4,022 men had been sent home from the different colonies at an expense of £133,961 12*s.* 2*d.*, or at an average cost of £33 6*s.* 1½*d* per man. He had proposed last year and the year before that a man on re-enlisting, after ten years' service, should receive 2*d.* a day extra pay, which in the year would amount to £3 0*s.* 10*d.* If that proposition were adopted, he believed it would tend very much to induce the men to re-enlist, and the 4,022 men would have been retained in the service for another eleven years. The Return to which he referred was up to the end of the year 1863, but every year the numbers retiring became more and more alarming. In the year 1857 no less than 22 second battalions were raised, and consequently next year every one of these men might leave the service. The position of the re-enlisted soldier had been described with remarkable clearness in a letter addressed to the Editor of *The Times* on the 9th of June last. The writer said—

> "As the matter now stands, the highly trained, experienced, and disciplined soldier, the man who has served his country and has proved the strength of his constitution by service in various climates, is no better paid by his employer than the raw untrained recruit enlisted but yesterday. In the army the old soldier feels that the manufactured article does not command a better price than the raw material. Can we wonder at a ten years' man declining to re-engage in a profession where his technical knowledge, his disciplined character, his proved courage, and his tested constitution are absolutely ignored as elements of value when competing with an untutored 'chaw bacon' just trapped in the country, or at his seeking a livelihood in some line of life where his value is better appreciated? In any profession a healthy man of twenty-eight years can command a higher wage than a lad of eighteen. The truth is, that our system of pay is as crude, as clumsy, as antiquated, and as unfitted for the present age as many other parts of our military system, and requires a complete and liberal revision."

He was sure that those hon. Members on the opposite side of the House who employed such large numbers of men would not hesitate to increase their pay after a term of ten years' service rather than lose them. He would conclude his observation by quoting a remark made by the late Mr. Sidney Herbert, who had said with reference to the sale of commissions—

> "The efficiency of the army is at stake, and in any change which we desire to make we ought to be careful to have with us the assent of the great body of the profession; and I can assure the House there is no member of the profession who approves of the present system."

It was all very well to talk of reduction of expense, but the real reduction was only on paper. He trusted the Royal Commission which had been promised would produce a more healthy state of affairs than that which now existed.

Colonel SYKES believed that, however opinions might vary upon the details of the Estimates, every hon. Member would give the noble Marquess credit for a desire to extend the information before the Committee—a desire which had displayed itself in the increased bulk of the Estimates from 135 pages and 5 appendices, to 161 pages and 14 appendices in the present Estimates. Still, however, without being hypercritical, he believed that there was room for further improvement. For instance, under the Manufacturing Votes the House was not informed of the quantity of material bought, the cost per cwt., the number of cannon manufactured, and the cost per cannon. The same remark applied to small arms and powder. Members would look in vain for the price of a rifle, or of a barrel of gunpowder. Our expenditure in the matter of small arms was considerably greater than that incurred on account of the French army, but then the French did not manufacture their small arms in their own establishments. The French Government have contracts with four large establishments in different parts of the country, and the contractors are required to furnish a certain fixed number of rifles, swords, and other necessary articles per annum, so that the amount required for those articles necessarily appeared in the French Estimates to be always a fixed quantity. Then, again, the French Budget supplied the information in which our own Estimates were defective—they stated the amount in kilogrammes of the quantity of metal used in the forges, the number of cannon cast, and their cost. The same information might with very little trouble be given in our Estimates. The noble Marquess had given satisfactory tables of the cost of each department and of their component parts, but though he had given the numbers, or designations separately, of those employed in the different departments, he had left hon. Members to do the addition themselves—a labour which the House ought, in his opinion, to be spared. He doubted, indeed, whether the noble Marquess himself could tell how many persons were employed in his own Department without first doing a little of this addition. The reductions of our forces in England and India were not attended by a reduction in the Estimates; indeed, the reduction of our military establishment in India entailed upon us, according to the Estimates, an increased expenditure, inasmuch as all European troops employed in India were paid out of Indian revenues, and the half-pay consequent on reductions in India fell upon the British Exchequer. As to the recruiting service, it was stated that there was latterly an indisposition on the part of young men generally to enlist in the military service. But considering the impulse given of late years to emigration, the increased demand for labour, and the general increase of wages, the supply of recruits must necessarily diminish, and young men from the country were less inclined to take military service than they were some few years ago. The increased bounty which had been suggested for soldiers after ten years' service would not only be of no advantage, but would be in reality offering a premium for desertion, unless indeed the bounty were placed to the soldier's credit, as in the French army, and he were permitted to draw a portion of it annually or half-yearly. It would be much better to enlist recruits in the first instance for a longer period, say twelve years, and at the end of twenty years' service to give them lump sums to enable them to set up in business, and if after fifteen years' service they were allowed to marry, they would probably be more contented, and continue many years longer in the service. The Estimates showed that our colonies absorbed a very large amount for military purposes without our receiving a suitable equivalent. The total amount was £3,004,714; of this Canada demanded £608,088, of which £121,363 were asked this year for fortifications and buildings. We got nothing in return for this expenditure but a hostile tariff to our manufacturing industry. £193,312 was demanded for Nova Scotia, of which £42,187 was for buildings. We received in return nil! In China the sum of £12,436 was set down for buildings. The military there cost us £189,287, and the navy upwards of £400,000. The return was £10,000, which he presumed came from Hong Kong. The charge for buildings at Hong Kong was unhappily necessary, as probably every hon. Member would think on remembering the sufferings that a portion of our troops had undergone there some short time since. Our men were sent there from the salubrious climate of the Cape of Good Hope at the time when the hot season was approaching, and consequently the havoc caused among them was frightful. The additional Estimates contained a charge at Hong Kong for mud huts—mud huts for European troops in the torrid zone. With such accommodation it was no wonder that the regiments were decimated, while the country paid £189,227 for the troops maintained there. There were several other colonies, such, for instance, as Malta £327,220, and Australia £218,316, where the cost of the military establishments were considerable, while the returns were small, amounting in all from the colonies to £227,000 out of an annual outlay of £3,004,714. He would give the noble Marquess a hint on the subject of economy. It appeared from the Votes that certain West Indian and Ceylon regiments had each forty-eight officers, including a paymaster and adjutant, whereas Government thought that the black men in the Native regiments in India were sufficiently officered by six European officers. The result of such a system was seen in the Bhootan War, in which the regiments suffered greatly in consequence of the loss of their officers, in one instance only one officer being left fit for duty. If Government deemed it sound policy—but he (Colonel Sykes) took leave to call it fatuous—that six officers were sufficient for the Native Indian regiments, then to be consistent they should reduce the number of West Indian and Ceylon officers to six with each regiment, whereby a considerable saving might be effected. Not that he recommended Government to take such a step, as he believed that they had never adopted a worse policy than they had in reducing the number of the officers of Indian regiments from twenty-five to six. He would suggest to the noble Marquess whether the depôt battalions in England were not over officered, as he observed that there were fifteen lieutenant-colonels in this country commanding fifteen depôt battalions, when fifteen captains would be quite capable of performing that service. He feared the system of transferring officers to the retired list would operate most unfairly, as many of them would be unable to return to active service.

Lord HOTHAM said, there were two more points to which he desired to draw the attention of the noble Marquess. The one was the proposal of the noble Marquess in reference to recruiting, in which he (Lord Hotham) naturally took a great interest, because he had had the honour of being President of the last Royal Commission that had inquired into the subject. The powers of that Commission were strictly limited to suggesting improvements in the existing system, and he was therefore glad to find that the noble Marquess intended to recommend the appointment of another Commission armed with the fullest powers to inquire into this important subject. There was none more important to the best interests of the country. He entertained a confident hope, if that Commission were properly appointed, its labours would be productive of the most beneficial effects. The other point to which he wished to refer was that which had been touched upon by his right hon. Friend the Member for Huntingdon (General Peel), and also by the hon. and gallant Gentleman the Member for Longford (Mr. O'Reilly), he meant the subject of the Reserve Funds. He (Lord Hotham) coincided in their opinion that it was time some inquiries should be made into this subject, not only for the reason they had assigned, but also for certain other reasons which had occurred to him. One of those reasons should at all times have a very great weight with the House of Commons—namely, that under the existing system the Secretary of State for War had the absolute control and disposal of large sums of money of which he never gave any account, or, at all events, no account which could be made the least use of in the House of Commons. He was not able to lay his hands on the Return of the state of the Reserved Funds of last year, but he saw in the Return of 1863 that there was then in the hands of the Secretary for War a sum of £60,000. Now, considering the manner in which financial accounts generally were scrutinized in that House, he thought that the House of Commons should not allow sums of that magnitude to remain in the hands of any officer of the Government without some account being regularly rendered. He could not refer to what was the state of the Reserved Funds of the present year, because, although unintentionally, he was convinced the noble Marquess had failed in carrying out the pledge he had given last Session—namely, to present the Return of the Reserved Funds to the House at the same time as the Army Estimates were presented.

The Marquess of HARTINGTON was understood to doubt that he had made such a promise.

Lord HOTHAM: The noble Marquess seemed to dispute the correctness of what he had stated. Now, in order to keep

himself right in his remarks, he (Lord Hotham) had taken the precaution of asking his right hon. Friend the Member for Huntingdon (General Peel) whether he recollected the noble Marquess having promised to present the Return of the Reserved Funds at the same time as the Army Estimates, and his right hon. Friend, in reply, said he perfectly recollected it. He was satisfied that, among the multiplicity of the noble Marquess's duties it had been quite an inadvertent forgetfulness on his part. After what had passed upon this subject to-night the noble Marquess would perhaps not be disposed to resist some inquiry into this matter in order that the House might know what were the sums that fell into the hands of the Secretary of State, and how, under what regulations, by whose authority, and in what manner they were disposed of.

Sir HARRY VERNEY said, that the ten years' system did a great deal of mischief to regiments in India. One grievance it entailed upon commanding officers in that country was that when they lost their non-commissioned officers at the expiration of ten years' service, the non-commissioned officers appointed in their room received no additional pay until the Return was sent from this country that their predecessors had been discharged. He trusted that the noble Lord would attend to this subject, and would enable commanding officers to give pay at once to the non-commissioned officers they appointed. It was unjust that one man should receive the pay and another do the work. He wished also to call the attention of the noble Marquess to what was felt to be a great grievance by officers who were serving in India. After a certain period of service an officer got six months' leave of absence, but he was not allowed to come to this country without losing his Indian allowances. He generally passed his time up in Cashmere or Thibet, or in some distant part of Asia, and during that time he received his allowances; but if he came to Europe he lost them, and that was felt to be a great hardship and injustice. It could be of no consequence to the authorities whether an officer spent his spare time in Asia or in Europe, while it might be of the greatest advantage to him so far as his health was concerned—indeed, be even the means of saving his life—if he were allowed to spend three or four months out of the six in returning to see his friends in this country. He concurred with those who had spoken in congratulating the noble Lord on the appointment of the Royal Commission, which he thought would be extremely useful. There were various points in the Estimates to which he should call the attention of the Committee when particular Votes were proposed. At present he would only refer to one, the expense of the cadastral survey. He thought if, instead of taking twenty years to complete it, a larger sum were devoted to it, so as to furnish it in a much shorter period than was at first contemplated, very little additional expense would ultimately be thrown on the Government. It would be very valuable in public and other works; parts of the survey would be purchased separately; large sums would be paid for it, and would go into the Treasury; so that in the end it would entail no additional expense upon the Government. He hoped also that attention might be paid to an important subject brought forward some years ago by the hon. Member for the King's County as to connecting the regiments in the army with different counties.

Major STUART KNOX said, he was glad to hear that a Royal Commission was to be appointed on recruiting. He believed men could not be got, simply because they found other positions in life in which they were better off were at their disposal. He wished to know if the proposed new branch of the service created by the appointment of comptrollers at various ports and foreign stations, which would cause a great additional expenditure, would lead to any reduction in the number of clerks at the War Office? It was generally thought that the gentlemen who held those clerkships, however efficient they might be, had very little to do, and it was considered that by decreasing their number a large additional sum of money might be applied for the benefit of the soldiers themselves. He believed some other reductions had taken place which had not been mentioned by the noble Lord. He understoood that the cadets at Woolwich had been placed on short rations. This was a matter in which the noble Marquess might not take much interest, but it was a matter of importance to the cadets themselves and their relations; and perhaps he would be kind enough to inquire into it. In the latter part of his speech the noble Marquess made —no doubt unintentionally—a very serious attack on officers commanding in Ireland. He said they were only now giving Sir Hugh Rose that support which it was incredible they did not give him before. He was sure the commanding officers of regiments in Ireland would at this time, if at no other, be most anxious to support him in putting down that most detestable conspiracy which was going on in that country.

Mr. WATKIN said, he would not have troubled the Committee with any observation but for a somewhat remarkable omission in the speech of the noble Marquess. As he was the first civilian who had spoken, he might say that the civilians of this country did not look so much to the amount of money required by these Estimates, but they endeavoured to take a sort of guage of the amount of efficiency they got for the money. They did not mind an increase in the Estimates if it could be clearly seen that the administration of military affairs were in thoroughly able hands, and if increased efficiency followed increased outlay. The question of small arms had been touched upon by the right hon. and gallant Member for Huntingdon (General Peel), and the noble Marquess had referred to the inventions of Snider and others, but not a single word had been said with reference to the great field for military experience afforded by America during the last few years of the Civil War in that country, and no reference had been made to the number of extraordinary and valuable weapons which had been invented and brought into use in that contest. Knowing that many of Her Majesty's officers had witnessed those operations in America, he thought that the House might have been favoured with the result of their experience in reference to those particular inventions to which he referred. One result of the American War was that the soldiers of the country were armed with a repeating rifle which made one man as valuable as from four to six men armed with the best weapon in use in this country. The life of the British soldier was valuable, and he deserved to be armed with the best weapon which modern invention could produce. The American practice in time of peace he understood was founded upon three very important principles. In the first place, they had a small but efficient standing army; secondly, they had an enormous militia population which could resolve itself into the army whenever it was required; and, lastly, they were armed with the most efficient weapons which could be procured. Every three or four years the authorities at Springfield took an account of the numerous inventions that had been produced all over the world, and they threw aside those weapons which the progress of invention showed were not of the best and most perfect pattern, substituting the more perfect weapons for them. The consequence was that the soldiers were armed with the best weapons existing. During the progress of the American War the moment a new invention appeared it was at once tested, and if the test were successful the invention was at once adopted. From what he had heard from distinguished American Generals, and from what he had seen himself, he believed that if a war were to break out between the United States and England to-morrow 1,000 American soldiers would be found equal to three, four, five, or even six times that number of English soldiers armed with the weapons which our soldiers were now using. He was also a little disappointed at not hearing some information from the noble Lord relative to the employment of soldiers. That was a question in which both sides of the House took great interest. An experiment was now going on at the fortifications of Quebec. There was a large outlay expended on one portion of the works, conducted on a system of open contract, and another by the officers of regiments stationed at Quebec. He had seen soldiers working on the fortifications of Quebec for an increase of pay, and looking both to the quantity and quality of the work performed, he believed it would turn out that military labour was far cheaper than the other; while the good order of the regiments was never better, nor the condition of the soldier more to be admired than when labouring as well as drilling. He hoped this information would still be supplied. The noble Marquess might rely on the support of the House if he showed a determination to make the British army thoroughly efficient, and to arm the British soldier with the best weapon that could be produced.

General DUNNE said, it gave him sincere pleasure to hear that the Government intended at last to take up the question of recruiting. During the last seven or ten years every military man in the House had impressed upon the Government the necessity of altering the period of service in the army, and making it twelve years in the infantry as well as in the cavalry. We had now in the colonies and in England altogether from 85,000 to 86,000 men, of whom 6,140 at this moment belonged to the Indian depôts, and were not available for any other service. It fell, therefore, upon some 79,000 or 80,000 men to discharge all the duties of the service. It appeared that about 37,000 or 38,000 men were to be kept at home, and about 35,000 in the colonies. The number for reliefs was therefore very small, and, consequently, the importance of recruiting became proportionally great. The reasons hitherto alleged were not the only ones which interfered with recruiting. One of the most powerful was the injustice with which pensioners were treated. He had brought several cases of the kind before the authorities at Chelsea Hospital, but without effect. Another reason was this—the soldiers objected to those large camps. Having returned from ten or fifteen years' service abroad the soldier wished to be allowed to go among his friends, and when he was sent to the Curragh or Aldershot, where the discipline was very exacting, he actually hailed the return to foreign service as a relief. With regard to small arms, the system under which we sought to get them was very bad. We had what was called a Select Committee for the purpose of examining them; but the noble Marquess must own that the Committee had not the confidence of the manufacturers, because it consisted mostly of scientific men, many of them rival inventors, and the manufacturers complained, rightly or wrongly, that their inventions were taken from them. Accordingly, when the tender and specifications to which the noble Marquess had alluded were put forth many of the best manufacturers in the country would not respond, and the reason they assigned was, that they had no confidence in the Committee. What manufacturers said was this—" Give us officers who are to use our arms." He understood that some of the Mont-Storm rifles burst in the proof. But if two or three burst, that might not show that the weapon was bad. Some 8,000 Whitworth rifles had been ordered by the Government and furnished. He wished to know what had become of them. They had been ordered in defiance of the Committee. The noble Marquess would have to alter the Select Committee by which these arms were judged, and if he got in their places men practically experienced in the use of arms as well as their construction so much the better. Another objection made by soldiers and non-commissioned officers was that they lost their good conduct pay on promotion. Now, it would cost the country but very little to secure the best men to the service. With regard to the Fortification Vote, he did not find that a single addition was proposed to be made to the defences of Ireland: and yet it was said that Ireland was in danger from an invasion from America. But if vessels from America were to run into Irish waters, there was not, he believed, a single gun from Bantry Bay all along the western coast to fire a shot at them; there were no fortifications at Belfast even—a place that an enemy's vessel could very easily run into. He knew that the late Sir George Brown had made a strong representation to the Government that the western coast of Ireland should be defended, and yet nothing had been done. It was absurd to say that the fleet was sufficient to protect our shores. If a few vessels from America ran into Bantry Bay they might form a nucleus around which all the disaffection of the country would gather. With regard to economy he would observe that while they could hardly hope ever to make any large reductions if they confined themselves to the infantry, in the administration very considerable reductions might be made. It was difficult in that House to go into details on the subject—the thing must be done by the War Office itself. What was the use of having an officer for making contracts, who got a large salary, and an inspector of clothing? At the head of the Clothing Department was a colonel of the Guards, a most efficient officer, and if they searched the army through a better could not be found. But he had two persons over him. Surely that officer could be at the head of the department as well as any civilian? He was a man who had served most efficiently both at home and abroad. There had been an increase in the administrative expenditure of the last year in consequence of having put young and most efficient men on retirement. But the fact was, since the breaking up of the old Ordnance Department the whole war administration had been in confusion, and there had been no man with ability or power to re-construct it. He hoped the noble Marquess would have the power as he had the will, and if so he would do good service to his country.

Captain VIVIAN said, that it was hopeless for the House to expect a real army reform until they grappled with the great question of army administration. At present their army showed far too much of the "pomp and circumstance" and far too little of the "sinews" of war; there was a great array of generals and a comparatively small one of privates. He thought the noble Marquess should not claim credit for reducing the army, for the fact was that the army had reduced itself; and, therefore, he was extremely glad that a Royal Commission was to be issued to inquire into the recruiting question. It was made to appear that each regiment had its proper complement of twelve companies; but on examination it turned out that there was scarcely a regiment in which there were not two or three captains without any duties whatever. He did not agree with the hon. and gallant Member (General Dunne) in his statements with reference to the establishment at Pimlico. He had himself visited that establishment, and should say that the duties imposed on Colonel Hudson and Colonel Daubigny were extremely heavy. When he went into the first room there were 600 females at work, and if Colonel Hudson had nothing else to do but to keep that room in order, it could not be said that he was underworked. At that establishment clothes were manufactured for the army, and those for the police and the Customs were examined there, and any hon. Member who visited the place could see how admirably the various officers performed their duties.

Colonel HOGG said, he desired to make a remark in reference to that branch of the profession to which he himself belonged. The noble Marquess had said a great deal about the weapons supplied to several arms of the service, but he had said nothing about the cavalry carbines. Now, the fact was, that all the cavalry regiments had been armed with breech-loading carbines, or some other arm of precision, with a single exception—namely, the Scots Greys. The men of this famous regiment were still supplied only with the old carbine. Prizes were offered for cavalry marksmen, and as the old carbine did not carry the necessary distance the men of the Scots Greys were entirely excluded from competing for the prizes. Military men know well the great advantage which a cavalry soldier derived from a breech-loading rifle or musket, and he hoped the noble Lord (the Marquess of Hartington) would direct his early attention to the matter.

Mr. O'BEIRNE said, he found only two sums mentioned in the Estimates for home fortifications. Was it the intention of the noble Marquess to introduce a special Estimate for fortifications in the United Kingdom?

Colonel GILPIN said, it was a very serious matter that the army should have reduced itself 10,000 men in two years: he was therefore glad that the noble Marquess had changed his mind with reference to the recruiting question, and that a Royal Commission was about to inquire into this most important matter. The other night, in replying to the speech of the hon. Member for Brighton (Mr. White), the Chancellor of the Exchequer took credit for the economical spirit of the Government in reducing the army by 4,000 or 5,000 men, and said that was a diminution not to be despised. Now no reduction of expenditure was to be despised, if made *boná fide*, and with a clear reference to the exigencies of the public service. What are the real facts of the case? A few years since inquiries were made into the state of the army, and it was found that the strength of the army on paper exceeded the effective strength by 4,000 or 5,000 men. The Government had since endeavoured to raise the army to its proper number; they had failed in doing so, owing to the present Enlistment Act, and the Chancellor of the Exchequer then claimed credit on the ground of economy.

Mr. HENRY SEYMOUR thought the public would be greatly disappointed at there being no reduction in these Estimates. He believed that reductions might have been made. All it wanted was a strong controlling hand for the central administration, and such a hand he trusted would be found in the noble Marquess. The noble Marquess had a great task before him, but it was one which he (Mr. H. Seymour) believed could be accomplished; and any energy and determination which he might show would be cheerfully seconded by that House, and approved by the country at large. The Estimates were calculated with the view of putting a certain number of men into the field. The whole expense of that calculation gave the cost of each man at about £100. But the amount of pay that went to the soldier was only about 40 per cent, and out of 60 per cent for administration there might surely be some reduction made. He was glad there was to be a Commission on the subject of recruiting, and he trusted it would take into consideration all the causes which led to a disinclination on the part of the working classes to enter the army. A material cause was the difference between the rate of payment of the soldier and that of the skilled labourer. The pay was not more than that of the unskilled labourer, which offered no inducement even to the latter to enlist, whilst it was far below the earnings of the skilled labourer. Then there were those degrading punishments which he believed hindered a better class of men from enlisting. There was the Irish constabulary, a body of 13,000 well-drilled men, drawn from a higher class without bounty, and for pay not much higher than that of the soldier. [An hon. Member: It is about double.] Nominally, perhaps; but with bounty money, levy money, pay for deserters, hospitals, and such things, the pay of the constabulary was not so very much higher, as the hon. Gentleman supposed. They had had in past times armies such as he should like to see; for instance, the celebrated armies of Cromwell or Gustavus Adolphus, which had a high amount of good conduct united to the highest amount of bravery. He did not see why the British army should not reach that standard. A thorough change must be made in the system, but he feared it would never be brought about if the Commission were simply composed of old Generals trained in the service. In his opinion the Commission ought to be composed half of General Officers and half of civilians who had turned their attention to this important subject. His belief was that a proper system might be struck out, under which we should get a higher class of men into the army, and as a necessary consequence be enabled to abolish corporal and other degrading punishments.

Colonel PERCY HERBERT said, he was glad that a Royal Commission was about to be appointed to inquire into the system of recruiting. He had no desire to see it composed exclusively of military officers. The system of corporal punishment to which the hon. Member who had just sat down (Mr. H. Seymour) had alluded, did not exist nominally in foreign armies, yet it was practically in force. Moreover, capital punishments were much more common, and he should be sorry to see an English soldier shot for striking his officer. He regretted to observe that the numbers of the regiments were still weaker than they were when he last drew the attention of the House to this subject. Some of the regiments were reduced to 600 rank and file, while others did not exceed 680. He would appeal to all the military men present, to say whether regiments of that strength were not unfit for service in the field, and for the emergencies to which they were subject? The strength of such a regiment would not be maintained without draughting into it men from other regiments, and thus spoiling both. He trusted the noble Marquess would tell the Committee the number of clerks in the War Office. It was singular that a sum of not less than £109,000 should be put down for clerks at the War Office, and that the number should not be mentioned. Another item of expenditure deserving attention was the cost of buildings and fittings in barracks and hospitals. At Hounslow there was a hospital attached to the barracks, all the windows of which were of plate glass. The hospital contained two very large wards, one of which was usually unoccupied, and the doors locked. The fact was that the hospital had been built twice as large as was required for the strength of the troops in the barrack. Moreover, the fittings in many instances were of a very expensive character, so much so, indeed, that the War Office, when a representation was made to them on the subject, had very liberally not charged the full price to the soldiers when they had been accidentally damaged. The new barracks at Chelsea were not very beautiful, but they were built under particular circumstances as model barracks. It was now complained that the hair of the soldiers' heads was almost blown off by the model ventilators. Then, again, the barracks at Chelsea were estimated to cost £194,000. Up to December last, £186,000 had been spent upon them, and the ultimate cost would be about £210,000 or £210 for every man—the accommodation being for 1,000 men—a cost which he presumed landed proprietors would never think of going to in providing a cottage for a labourer and his family. Although a large number of troops were quartered in Ireland, there was no mention in these Estimates of any barrack to be built or improved in that part of the kingdom. The Dublin barracks were very much in want of enlargement and improvement; and he trusted that something would be done in that respect in future, and all the barracks in Dublin could be put in perfect order at a cost of £10,000 or £15,000.

MAJOR DICKSON said, that the hon. Gentleman the Member for Poole (Mr. H. Seymour) had expressed a hope that the Royal Commission would not be composed of old General Officers. Now he (Major Dickson) thought the Commission would be hailed with satisfaction by the army, and for his part he trusted that the members placed upon it would have a more perfect knowledge of military matters than the hon. Gentleman had displayed. It was to be hoped that the proposed Royal Commission would not confine its labours entirely to the question of recruiting, but would also direct its attention to subjects on which the efficiency and discipline of the army depended. It was said that during the last fifteen years or so the army had somewhat degenerated, and certainly the troops now were not equal to those that fought in India and the Crimea; but this was not owing to any degeneracy on the part of the race to which it belonged, but because we had neither the same class of officers nor the same class of men in the service which we had not very long ago. That was owing to the absurdly strict examination through which officers had to pass, and to the insufficiency of the inducements held out to men to enlist, instead of entering into other employments. Officers should, no doubt, be properly educated, but many of the subjects in which they were now examined were of no earthly used to them. The system of examination had been adopted by stress of public opinion, and by stress of public opinion it was still maintained. The highest military authorities of this country were, he believed, opposed to that system, and those authorities ought to be firm and stable-minded, not men who were changeable like the vane upon a steeple that was moved about by every gust. If the commanding officer of a regiment were consulted upon the matter, he would say, "Give me the young men of energy and determination—the young men who can ride across country, for the army, rather than the senior wrangler of Oxford or Cambridge, who would do better at the bar or in the Church." If they wanted dashing soldiers they must have dashing officers; and to secure men of the proper stamp for the ranks they must improve the pay and position of the soldier. Our whole system of recruiting was wrong and required remodelling. A regiment fell below its establishment, and recruiting parties were sent out to fill up the gaps in the ranks, and as it was the interest of these parties to get men as quickly as possible, men were placed in a branch of the service for which they were not suited, though they might make good soldiers in another branch. There should be one large recruiting establishment for the whole of the army, and the men enlisted should be distributed to the branches of the service for which they were peculiarly adapted. A regiment of 800 men was much too small to be sent to India, and after it had been three months there it would be unable to muster more than 600 men. It would be better to strike off a few battalions, if they must make a reduction, than to lower the strength of the regiments. We had to keep 60,000 British troops in India, because we could not safely trust so much as we had previously done to native levies. But if, unfortunately, we were involved in a European war, we should find it next to impossible adequately to recruit our army, so as to meet the heavy drain upon it occurring in both hemispheres. Why should we not, then, utilize the warlike races in our Eastern empire—the Sikhs for example—by employing them to serve in our colonies? He ventured to throw that out as a suggestion for the consideration of the noble Marquess. Our greatness as a commercial nation, and the security of our Empire and its numerous dependencies, could only be maintained by upholding the proper strength and efficiency of the two services.

THE MARQUESS OF HARTINGTON:—So many questions and so many details have been touched upon in this debate that I am afraid I shall be able to answer only a few of the inquiries that have been made, deferring my explanations, if hon. Members think further answers necessary, until the particular Votes more immediately concerned come under separate discussion. The right hon. and gallant Gentleman opposite (General Peel) and some other Members have spoken of the scheme of unattached promotions for officers as though it were no boon at all to the army, and it has even been implied that officers would be compelled to accept these unattached promotions and be put upon half-pay. I would remind the Committee that it will be perfectly optional for the officers to accept them or not, and that if the offer of them should induce some officers of long standing to retire from the service, of course the officers of the army at large will be gainers by the measure. With regard to the supposition of the right hon. Gentleman as to the expense involved in carrying out this scheme being intended to be met from the Reserve Fund, I beg to say he is entirely misinformed. We have no intention of selling any of the first commissions for the Reserve Fund. With reference to the remarks of the noble Lord the Member for the East Riding of Yorkshire (Lord Hotham), I may say that I distinctly remember that noble Lord asking me whether I would lay the accounts of the Reserve Fund on the table along with the Estimates; and I replied, as far as I recollect, that I saw no objection to having the account of that Fund made up to the 31st of December instead of the 31st of March. The account has accordingly been made up to the 31st of December last; it has been audited in the War Office by the chief Auditor, and it was laid on the table two or three days ago. Unfortunately it was not printed in time; but, as far as it could be done, I did carry out the promise given to the noble Lord last year. Very few observations have been made upon the events which have taken place in China, and the mortality among the troops there; and as no hon. Member has this evening gone fully into this subject, I shall also abstain from doing so. I only wish to say that ten or twelve days ago I laid on the table the papers moved for by the hon. and gallant Member for Oxfordshire (Colonel North) relating to these occurrences, but owing to some delay in the printing they will not be in the hands of hon. Members till to-morrow. In common with every other hon. Member, I listened, with great interest and some profit, to the speech of the hon. and gallant Member for Berkshire (Sir Charles Russell). I certainly do not venture to place my opinion against his, in reference to the merits of the musketry instruction system; still less do I wish to enter into a discussion of its merits and demerits. I must leave the hon. and gallant Member to settle with other officers the question whether the text-book contains directions that are too minute, and whether the system, as now conducted, is a good one. It is quite possible that, in course of time, we may be able to find officers competent to impart musketry instruction to their regiments, in the same way that the adjutants teach the drill. But a few years ago, musketry practice was quite new; it was necessary that men should be trained, in order to impart instruction to others; and I do not believe that the results we have witnessed could have been attained if the school of musketry had not been established. The hon. and gallant Member has referred to France, where he says no such elaborate system is maintained. I have no knowledge on the subject; but I have an impression, if a comparison were instituted between the French and English armies, not in warfare, but at targets, the good effect of our musketry system would become apparent. I could not, without much closer investigation than I have made, and without consulting several competent military authorities, say whether it would be possible to make any reduction in the expense of musketry instruction. I can assure hon. Members that we have been looking with great attention in the direction of America, but up to the present time we have not obtained anything very valuable or superior to what we have from American experience. First, with regard to heavy guns, owing to the great necessity of rapid construction from the immense numbers required, both sides were obliged during the late war to content themselves with guns of cast iron; but we know that Whitworth, Armstrong, Blakely, and other manufacturers all condemn cast-iron guns as utterly useless, and hold that serviceable guns cannot be made of any material which is not at least as strong as wrought-iron. In the matter of heavy guns, therefore, we have nothing to learn from America. With respect to the repeating rifle, which it is said would enable a couple of companies to destroy an ordinary army in a short time, I do not believe that this arm has been introduced as a weapon into the American army. The Americans have, indeed, lately reduced their army, but they still have a large standing army, and it is armed with a rifle; and if this repeating rifle has been found so successful, how is it that it has not been adopted as a weapon of the army? During the American War, soldiers were armed with almost every description of rifle; many had revolvers and breech-loading rifles, and, I daresay, under certain circumstances, they found them effective. But we must recollect we want a rifle which can be used not in any one particular set of circumstances, but a rifle which a soldier can take to New Zealand, India, or any other part of the world; and, therefore, it is impossible for us to undertake to change the arm of the soldier on the faith of second-hand accounts of the wonderful properties of some rifle, probably emanating from some inventor. I quite admit that a practical trial of any rifle intended for the use of the army is absolutely necessary before it is adopted in the service; and, in the first instance, I think a Committee is a proper tribunal to which to refer the matter. The satisfaction felt at the intention of the Government to appoint a Commission on recruiting has not prevented the expression of the views of individual Members, whose example, however, I will not follow. I will only say that it was necessary we should have full and conclusive evidence that we did not obtain a sufficient number of recruits under the present system before we proposed a change. For anything we knew, the difficulties of recruiting during the last few years might have arisen from temporary and exceptional circumstances. It has only been within the last two or three years that we have been able to ascertain at all correctly the percentage of men who left the army for good on the expiring of the period for which they had enlisted; and the fact that there was a considerable diminution in the number who remained was one of those circumstances which rendered investigation imperatively necessary. Hon. Members have spoken of twelve year terms as if they would provide all that is required; but, in some branches of the service, with enlistment for twelve years, almost as large a proportion have taken their discharges as in other branches. It would not be right that I should name the gentlemen who are to be asked to constitute the Commission; but I may say it is not at all intended that it shall be entirely military, nor is it intended that the military element shall consist of those who have been rather irreverently designated "old Generals." I must have expressed myself indistinctly in what I said about Ireland, if I was understood to have made any reflection on the conduct of the regiments in that country. Another topic to which allusion has been made was the existence of Fenianism among a portion of the troops. What I wished to say was, that at first there was some difficulty in obtaining accurate information as to the spread of Fenianism, because many commanding officers were unwilling, very naturally unwilling, to believe in the existence of such a blot in their regiments. I do not believe they ever dreamt of placing any impediment in the way of the Government. I believe that, owing to the confidence, by no means unnatural, which many of the officers felt, they did not take, on this account, such stringent measures to discover the existence of Fenianism in their own regiments as they afterwards found it necessary to take. One or two hon. Members have made some observations on the subject of fortifications, and the hon. Member for the Queen's County (General Dunne) has called upon us to fortify all the west coast of Ireland. My impression is that in the last two Parliaments the hon. and gallant Gentleman has not been a very warm supporter of fortifications, and that he has severely criticized the fortifications which have been erected in this country. Now, as to the fortifications erected at Portsmouth, Devonport, and other great naval arsenals, it must be admitted that whether they be well constructed or not, it is at all events a great object to defend those ports. I do not say that the defence of Ireland is not also a great object, but I maintain that there is a difference between defending points, such as dockyards and arsenals, where enormous property is collected, which, to say nothing of its intrinsic value, is absolutely necessary to the nation, and fortifying a whole line of coast like the west coast of Ireland. I do not say that it might not possibly be wise to consider the propriety of erecting some works on that coast, but I do not think the House of Commons is sufficiently enamoured with the idea of erecting such fortifications as would preclude the possibility of an enemy landing on any point of that coast. Another hon. Gentleman asked whether it was intended to bring in a Supplementary Vote for fortifications. Now, within six or seven years we have, I think, raised on loan no less than seven and a half millions of money for the purpose of constructing fortifications, and a great many of the works are now approaching completion; but as long as they are in hand we have quite enough to do in regard to fortifications, and I do not think that when we come to the discussion on the Fortification Bill this year any hon. Member will complain that we have not asked enough.

General PEEL asked, whether the scheme by which officers would be put on half-pay, and at the same time promoted in rank would be confined to forty-one regiments, or spread over the whole army?

The Marquess of HARTINGTON: The question which I have just been asked relates to a point which has not at present been entirely decided. It would, no doubt, be most satisfactory that the promotions should be made throughout the whole army, as a great many officers of very long standing would thereby be enabled to obtain promotion and retire on half-pay; but, at the same time, there are serious difficulties in the way of thus disposing of the matter. Promotions throughout the army would necessarily occupy a great length of time, and in some instances the year would be nearly at an end before we could make the necessary arrangements for providing for all the captains and subalterns to meet whose case the scheme is mainly designed. The subject, however, is at the present moment under the consideration of the Commander-in-Chief, and if the right hon. and gallant Gentleman will ask the Question again in a day or two I shall probably be in a position to inform him how the matter has been decided.

Lord BURGHLEY suggested that a great saving might be effected by employing the Militia staff throughout the country as a recruiting staff. At present they were doing nothing, being only employed for one month in the year in training.

General DUNNE said, that he objected to the fortifications at Portsmouth and other ports in England, because he was of opinion that they were constructed on a faulty plan. Many very eminent Engineers were of the same opinion. He thought a great deal of public money had been thrown away upon these fortifications. That, however, was no reason why he should not be in favour of fortifications of another class. As to fortifying the Irish coast, he might remark that he never thought of fortifying the whole line of coast—no one but a civilian would have imagined that he did. All he had said was that certain points, Bantry Bay for instance, where an enemy could easily land troops and it would be difficult to dislodge them, ought to be fortified, and he thought the noble Lord had no right to find fault with him for that.

Colonel SYKES inquired what was the number of officers at present on the unattached list, and what addition would be made to it?

The Marquess of HARTINGTON: I cannot at this moment answer the Question of the hon. and gallant Colonel.

In reply to Major Stuart Knox.

The Marquess of HARTINGTON: As I forgot to refer to the Question of the War

Office clerks I may state that a reduction was made in consequence of the inquiry instituted last year. It should, however, be borne in mind that the Estimate for the War Office was last year reduced by the sum of £10,000, and though this was not a pure reduction, because, in one or two cases it was simply a transfer of Votes, still a very large saving was actually effected last year. It was not likely, therefore, that any considerable saving could be effected this year. The reason why the numbers are not given this year is that the organization of the office is not complete, many branches not having been yet decided upon. As soon as the organization is completed the numbers will be again given. I may, perhaps, be allowed to say, that though I cannot hold out any very great expectation of a large reduction in this Vote, I entertain a confident hope that a small reduction may be made. There is an enormous amount of work to be got through, but I believe much of it is of a kind which does not require the services of highly-paid clerks, and the system we have in view of employing a certain number of military clerks will, I think, work well. Some had already been introduced, and had performed the work assigned to them in a remarkably efficient manner.

Vote *agreed to.*

Motion made, and Question proposed,

"That a number not exceeding 178 of Native Indian Troops, belonging to Her Majesty's Native Indian Army, be maintained beyond the limits of Her Majesty's Indian Possessions, during the year ending on the 31st day of March 1867, inclusive."

Sir JAMES FERGUSSON suggested that to the circumstance of the number of the Native Indian troops being limited to 178 was owing in great measure to the lamentable mortality which had taken place at Hong Kong. Previous to last year one battalion in Hong Kong was exchanged, and it was generally believed that it had been removed in order to save the expense caused by the maintenance of troops placed side by side with the battalion in the Indian establishment. He believed that on every ground of justice it might be maintained that British troops quartered in Hong Kong should be kept on the Indian establishment. The vicissitudes of the climate of Hong Kong and the inroads which it made on the European constitution being taken into account, it was, he thought, but just and right that Indian pay and allowances should be provided for the troops quartered there, as well as for those stationed in India itself. It was, in his opinion, a disgrace to this country and to that House, in which such subjects were discussed, not to protest against a paltry saving by which so great an amount of suffering was inflicted upon troops who never shrunk from their duty, accompanied by a mortality unprecedented except in such campaigns as that in the Crimea. When we heard of British battalions which were a few months ago in the highest state of efficiency and numbering 800 or 900 men being reduced to little more than 100 effective soldiers, it could scarcely be denied that there was a degree of disgrace attaching to such a state of things which ought not to be passed slightly over. As to the precise person upon whom blame rested in the matter it would be well, of course, to await the production of papers before discussing that point; but the Vote under consideration presented, he thought, a fitting opportunity for asking the noble Marquess whether the Native troops were withdrawn from Hong Kong in order to reduce the pay and allowances of the officers at the station from the Indian to the ordinary rate of pay; and whether it was proposed to send back the Native forces to perform the duties previously discharged by that description of troops?

Colonel NORTH hoped that, notwithstanding the appeal of the hon. and gallant General, a debate would not ensue on the subject to which his Questions related. It was much too serious a matter to be dealt with in the shape of mere Question and Answer. He had given notice of a Motion on the subject, and as the papers with respect to it would be in the hands of Members to-morrow, it was desirable that no further remarks should be made upon it until it was brought regularly with full information before the House.

Colonel PERCY HERBERT concurred in that view, and moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again;"—(*Colonel Percy Herbert.*)

The Marquess of HARTINGTON expressed a hope that the hon. and gallant Gentleman would not press his Amendment, but would allow the Vote to be taken. As it was the intention of the hon. and gallant Member for Oxfordshire to call attention to the unhappy mortality among the troops stationed at Hong Kong, it was, he thought, desirable that nothing further should be said on the subject that evening.

Sir WILLIAM JOLLIFFE thought the case was one of so awful a character that the Vote ought to be postponed in order that the discussion might be taken upon it.

Mr. O'REILLY said, he did not see why that discussion should be raised on the present Vote more than upon any other Vote. He trusted, however, that the noble Marquess would not proceed with the Vote for Pay and Allowances that evening, as it involved numerous matters of detail.

Colonel NORTH said, he had no hesitation in stating that he should hereafter make a substantive Motion for a Committee of Inquiry into the recent mortality at Hong Kong. He thought it one of the most deplorable cases that had occurred since the Crimean War. Great blame attached to some quarter, and in the interests of the army the matter ought to be thoroughly and minutely sifted.

Sir JAMES FERGUSSON said, he thought that some mention ought to be made before it passed of the melancholy circumstance to which he had called attention; but he agreed with the hon. and gallant Member that it was not necessary to postpone the Vote in order to bring the Question before the House.

The CHANCELLOR of the EXCHEQUER said, it was quite evident the subject could not be disposed of in a short conversation. As it was about to be brought forward in the form of a substantive Motion he saw no reason for postponing the present Vote.

Sir WILLIAM JOLLIFFE said, that after the declaration of the hon. and gallant Member of his intention to submit a substantive Motion on the subject, he should not oppose the present Vote.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £5,362,400, be granted to Her Majesty, to defray the Charges of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1867, inclusive."

Sir CHARLES RUSSELL said, that for the reasons he had already stated he felt bound, in order to bring the Question to a practical issue, to move a reduction of this Vote by £10,000.

Motion made, and Question proposed,

"That a sum, not exceeding £5,352,400, be granted to Her Majesty, to defray the Charges of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1867, inclusive." —(*Sir Charles Russell.*)

The Marquess of HARTINGTON said, as the proposed reduction had reference to an item of expenditure which was incurred for the purpose of teaching the soldier the use of the rifle, he supposed the hon. and gallant Gentleman must be of opinion that such instruction was of no practical utility. He, however, entertained a contrary opinion, and could not help thinking that if a soldier had an accurate and useful weapon placed in his hands, it was of great importance he should be able to use it with efficiency. He admitted that it might, at some future time, happen that an officer might be qualified for the performance of the duties of musketry instructor without going through a school of musketry, but it would be, he contended, most unwise, by reducing the Vote, to place it out of the power of all officers to qualify themselves in that respect.

Sir CHARLES RUSSELL said, he had most distinctly and emphatically said that so convinced was he of the necessity of the soldier being trained to use his weapon, that he was only anxious to have instruction for that object carried out in the most simple and practical manner, and in a manner which would secure the sympathy of the officers of the army. But he thought when the Committee saw in this Vote a sum three times as large as that required to teach the French army, which was four times as large as ours, he could not be accused of cheese-paring economy because he objected to the Vote.

Mr. KINGLAKE thought the discussion had taken a turn which made a postponement of the Vote desirable. The hon. and gallant Gentleman the Member for Berkshire had suggested a question of the deepest importance. The hon. and gallant Member thought that our system of teaching the use of arms of precision was being carried to an extent which injured the efficiency of the service. If Government held a decided opinion of their own, hon. Members might go at once to a division; but the noble Marquess had said the question was one on which he could give no opinion, it being a question for the opinion of military men. If that were so the War Minister seemed to abdicate his functions. If the Government had not made up their mind on the question it would be more advisable to postpone the Vote.

Mr. ACLAND was of opinion that too much time was spent in the instruction. Besides, on scientific subjects lectures ought not to be given which excited the ridicule of those who had even an elementary knowledge of natural philosophy. But he thought musketry instruction of great value to the Army and the Volunteers, and was not prepared to join in knocking £10,000 off the Vote without knowing what the effect of such a step would be. He hoped the Government would take the subject into their attentive consideration.

Major STUART KNOX supported the Amendment, observing that he presumed the object his hon. and gallant Friend who proposed it had in view was to take the sense of the Committee on the system of instruction.

Lord ELCHO was bound to say that he had heard complaints made by friends of his in the army as to the strictness of the rules, and the extent to which the system of instruction was carried. He therefore thought it would be well to postpone the Vote, though he was strongly of opinion that instruction in musketry was of the highest importance to the Army and the Volunteers.

The Marquess of HARTINGTON observed, that the Vote could not be postponed. If they did not dispose of it now they must report Progress. He never had said anything to the effect that the military authorities had not an opinion in this matter; but after the observations made by so many gallant Officers in the course of this discussion, he thought it necessary that there should be some inquiry in respect of the system of instruction. There might be question as to the length of the course, or as to other details; but he asked whether the Army, the Militia, and the Volunteers were not satisfied with the instruction as a whole? If the Amendment was carried it would prevent any instruction being given them next year. He was quite ready to promise that, in connection with the Commander-in-Chief, he would institute an inquiry; and he was sure he might say that neither his Royal Highness nor himself would have any objection to such changes as would effect an improvement in the system.

Mr. O'REILLY said, there were two points requiring attention—one concerned the mode of instruction carried out at Hythe, and the other affected the principle of having a central school for instruction in musketry. He had spoken to many French and Prussian officers, who had expressed their admiration of the system of having a great central school for teaching musketry. The opinion had been expressed to him also by French Generals, that their army, as a whole, was by no means so well trained in musketry as the British army, which, therefore, showed greater results for its teaching than the French army could produce. From the introduction of a new system of instruction a division of interests between regimental authorities had arisen; but when those systems had become ingrained in the army he had no doubt that things would work more harmoniously. He put it to the hon. and gallant Gentleman who had moved the Amendment, whether the question of the establishment of a school for musketry for the army could be solved by the reduction of £10,000 on this Vote? If an expression of opinion at all, it would be against the principle of central schools, the only one that could be adopted by that Committee.

General DUNNE asked how there was to be uniformity without a central school, and whether it was intended to abolish entirely the central school or merely to remove the absurdities connected with the system?

Sir JAMES FERGUSSON hoped there would be no opposition to the Committee's reporting Progress. He hoped the matter would be fairly considered, but after the Vote had passed the Committee it would be too late for any further discussion of the matter.

The CHANCELLOR of the EXCHEQUER said, it would be impossible to suspend the Vote till an inquiry had been instituted into the subject.

Colonel NORTH said, he did not suppose a Committee would be appointed to inquire into the system of musketry instruction, but to consider how far the noble Lord could meet the suggestions that had been made. He begged leave to move that the Committee should report Progress.

The Marquess of HARTINGTON said,

that he had not made any promise whatever that he would undertake to re-consider the necessity of having a central school of musketry. As long as they had a central school it was not probable any very great reduction in the expenditure could be accomplished. Perhaps some modification of the system might result in a reduction. As long as they had no general system they must have a school; he had promised inquiry into the system pursued at the school, which was considered unnecessarily long, inconvenient, and faulty; but he had promised inquiry with a view to the abandonment of the school.

Motion, by leave, *withdrawn.*

SIR WILLIAM JOLLIFFE said, the question was, whether or not this system was carried on in the most efficient manner, and most conducive to the interest of the service, and that question ought to meet with the immediate consideration of the noble Lord the Secretary for War. Instead of one central school he thought it would be better to have two schools—one at Hythe and the other at Fleetwood. He believed instruction would then be given at less expense. The army ought to be thankful to the hon. and gallant Gentleman the Member for Berkshire for the attempt he had made to urge the Government to re-consider this subject.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir James Fergusson.*)

The Committee *divided:*—Ayes 43; Noes 55: Majority 12.

Original Question again proposed,

"That a sum, not exceeding £5,362,400, be granted to Her Majesty, to defray the Charges of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1867, inclusive."

MR. CAVENDISH BENTINCK hoped that the Government would not proceed at that late hour. He hoped the Government would now consent to report Progress; and he moved accordingly.

COLONEL PERCY HERBERT said, the rate of every officer's pay was regulated by Royal warrant. A practice had grown up of offering an income less than that fixed by the Royal warrant, and this he thought highly objectionable. The late Lord Macaulay, when Secretary of War, proposed to an officer to go out to Ceylon at the low rate of pay. The officer demurred; on which Lord Macaulay said: "There are plenty of officers of your rank who would be pleased to go." The officer replied: "And if I ring the bell, I could find many who would be willing to fill your post for half your salary." But his Lordship did not see the force of that.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Cavendish Bentinck,*)—put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, March 6, 1866.

MINUTES.]—Several Lords took the Oath.
PUBLIC BILLS—*Committee*—Divorce and Matrimonial Causes [H.L.] * (17); Savings Banks and Post Office Savings Banks * (31).
Report—Savings Banks and Post Office Savings Banks * (31).
Royal Assent—Telegraph Act Amendment; Cattle Diseases (Ireland).

BRITISH WHITE HERRING FISHERY ACT.—PETITION.

THE DUKE OF ARGYLL *presented* a Petition of Proprietors of Land, &c., and Fishermen of Lochfine, praying for partial Repeal of the British White Herring Fishery Act. The noble Duke said, that although the matter was one of local interest, it was of considerable importance. Some years ago an Act was passed to regulate Scotch fisheries, and among other things, to prevent trawling herrings. Herrings had been ordinarily caught by the gills in the meshes of drift nets attached to boats. About twenty years ago the inhabitants of Stonefield discovered that trawling was being extensively practised, and they complained of its interference with their sea fishing; the Scotch Fishery

Board found it necessary to interfere, and trawling was prohibited; and since then two Royal Commissions had inquired into the subject generally. Both Commissions had reported against the continuance of the prohibition of trawling, and in favour of a return to the former state of the law, under which trawling was at least not illegal. He did not agree with the recommendation of the Commissioners, as trawling could hardly be carried on in conjunction with the usual mode of fishing. The herring net was used as a sea net. The trawling net dragged along the sea bottom, caught all fish that came in its way, and if trawling were to be permitted it would be perfectly useless to attempt to protect salmon. Alarmed at the Report of the Commission recommending the repeal of the statute by which trawling was prohibited, the petitioners prayed that the prohibition might be continued within certain arms of the sea.

Petition read, and ordered to lie on the Table.

THE CATTLE PLAGUE.

Earl GRANVILLE said, their Lordships would be interested to hear the following Report by Professor Simonds:—

"Veterinary Department of the Privy Council Office, Princes Street, March 3, 1866.

"Sir,—I have the honour to report that, acting on your instructions, I have to-day visited Mentmore for the fourth time, for the purpose of ascertaining the progress of the cattle plague in Baron Rothschild's herd, and the result of the treatment adopted by Mr. Worms. Since my last visit, February 22, the disease has made rapid progress, and I regret to add that the fatality has kept pace with its advance. It appears that, in consequence of the deaths which had occurred up to the 22nd of February, and the number of animals which were then sinking more or less rapidly from the disease, it was determined to give a trial to Mr. Worms' remedy as a prophylactic as well as a curative agent, and, accordingly, all the remaining animals of the original 119 were dosed on succeeding days with the mixture. With a view also to limit the number of cases, the unaffected animals were taken out of the straw yards and placed in small lots in nine different yards, distant from each other, and temporarily fitted up on the south side of one of the plantations. The location of these yards, and the manner of their construction, were well suited for the required purpose. Before describing the state of things as now existing, it will be necessary shortly to refer to my former reports of the 15th, 19th, and 22nd of February, in which the particulars were given of the first twenty-five animals which had been removed from the herd and put under Mr. Worms' treatment. In the first of these reports it was stated that ten animals, which, at the time of my examination, gave no evidence of disease, were being treated by Mr. Worms, and that one—the original animal attacked—had succumbed to the malady. In my second report I stated that four other unaffected animals had also been taken out of the yards for treatment, with five more which were the subjects of the cattle plague. In my third report I stated that in the interim three of the animals which were unaffected at my first and second visits had been attacked with the plague, and in addition to these other cases had also occurred. A summary was attached to this last-named report, which is here repeated:—February 22, 1866—Unaffected 11; affected, but not severely, 5; died, 5; dying, 4—25. On my visit to-day I found that the whole of the 11 animals referred to in the summary, and which had been regarded by Mr. Worms as having been cured, had been attacked, and that nine of them had died. Under the peculiar circumstances of the case, it may be as well to add the result of the treatment of these 25 animals as distinct from the rest of the herd. Numbers 1, 3, 4, 5, 6, 7, 10, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, and 25 are dead, and numbers 2, 8, 9, 11, and 19 are convalescent. Passing from these cases I have now to describe the general state of the remaining portion of the herd, the disease, as previously stated, having made fearful havoc among the animals since the 22nd of February. In the sheds were five heifers rapidly sinking from the disease. In contiguous yards were lying thirteen cows and heifers which had been shot, some on the previous evening, and the remainder on this morning, all having been so severely affected as to be beyond all hope of recovery. A bull and a heifer were about to share the same fate just as I arrived on the premises, but were allowed to live until my inspection was completed. I may here remark that none of these animals were destroyed by the orders of the local authority. In No. 1 extemporized yard were twenty-four cows, ten of which were dying, and the remaining fourteen were all more or less affected. In the eight other yards were thirty-five heifers, all of which were affected. Several were dying, and three were dead. The general state of these animals was such that in a few days scarcely one of them may be expected to be alive; and so great has been the mortality, and so rapid the progress of the disease, that I was informed by the bailiff that all treatment had been abandoned for some few days, and the animals left to their fate. Graves were being prepared as quickly as possible, and all the requirements of the law were being properly carried out. The almost total destruction of this herd will, it is to be feared, be followed by a serious loss among the dairy cows on the estate. On the 24th of February the malady unfortunately made its appearance among them, and on my inspection to-day, I found that two had died, six been slaughtered, and two others were dying. Two bulls and seven calves were also rapidly sinking. The entire stock on the dairy farm consists of twenty-nine cows, twenty-four calves, and four bulls, all of them being animals of great value. In concluding this report I cannot refrain from expressing my sincere regret that another supposed means of arresting cattle plague by medical treatment should have proved abortive.—I have the honour to be Sir, your obedient servant,

"Jas. B. Simonds.

"The Clerk of the Council."

RAILWAY REFORM (IRELAND).

MOTION FOR A PAPER.

THE EARL OF **BELMORE** moved for

"Copy of a Memorial to the Chancellor of the Exchequer, signed by the Lord Mayor of Dublin on behalf of a Public Meeting held in that City on the 2nd of February on the Subject of Railway Reform."

EARL **GRANVILLE** said, the Memorial in question had not been received at the Treasury; but he had no objection to produce it as soon as possible after it should be received.

THE MARQUESS OF **CLANRICARDE** said, that next to Fenianism, there was no question of more importance to Ireland than that of railway communication. If it were wisely and liberally treated by the Government, the most beneficial effects might be expected to follow. He hoped, therefore, that the Government would not make a reply to the Memorial without having fully considered the matter, and that there would be no discussion in that House on the subject until the Government had come to some definite decision.

Motion *agreed to:*—Return ordered.

HOUSES OF PARLIAMENT—THE APPROACHES.—QUESTION.

THE EARL OF **SHREWSBURY** asked Her Majesty's Government, If, in completing the Approaches of the Two Houses of Parliament, it proposed to make any Provision for the Shelter of the Horses and Carriages of the Members of each House?

EARL **GRANVILLE** replied, that no doubt considerable inconvenience was caused by the present state of things; but the fact was that at the present time there was no space available for the accommodation of horses and carriages. When the law courts were removed there would be a space available for the purpose on the west side of Westminster Hall. It would, however, be five years or more before the law courts were removed.

House adjourned at half past Five
o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 6, 1866.

MINUTES.]—NEW WRIT ISSUED—*For* Kerry, *v.* The Right hon. Henry Arthur Herbert, deceased.

NEW MEMBER SWORN—John Candlish, esquire, *for* Sunderland.

SUPPLY—*considered in Committee — Resolutions* [March 5] *reported.*

WAYS AND MEANS—*Resolution* [March 5] *reported.*

PUBLIC BILLS—*Ordered*—Marriage with a Deceased Wife's Sister*; Clerks to Justices; Capital Punishments within Prisons; Legitimacy Declaration, &c.*; Superannuations (Officers Metropolitan Vestries and District Boards)*; Sheriff Court Houses (Scotland) Act (1860) Amendment*; Mutiny.*

First Reading—Marriage with a Deceased Wife's Sister* [50]; Legitimacy Declaration, &c.* [51]; Superannuations (Officers Metropolitan Vestries and District Boards)* [52]; Clerks to Justices [53]; Capital Punishments within Prisons [54]; Mutiny.*

Committee—Consolidated Fund (£1,137,772)*; Prince Alfred's Annuity (*re-comm*) [48].

Report — Consolidated Fund (£1,137,772)*; Prince Alfred's Annuity (*re comm.*) [48].

Third Reading—Qualification for Offices Abolition* [1], and *passed.*

MID-LONDON RAILWAY BILL—(*by Order.*)

SECOND READING.

Order for Second Reading read.

MR. **HARVEY LEWIS**, in moving the second reading of this Bill, stated that powers were sought by it to provide suitable accommodation for such of the working classes as should be displaced by the formation of the proposed railway. The line would run from the north-west to the north-east of London, and would afford accommodation to a populous district at present without immediate railway communication. It would also connect the London and North-Western Railway with the London, Chatham, and Dover line.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Harvey Lewis.*)

EARL **GROSVENOR**, in moving that the Bill be read a second time that day six months, said, he was neither directly or indirectly connected with any metropolitan railway, nor did he mean to discuss on the present occasion the question whether the Bill was or was not necessary for the public convenience. The point he wished to raise was, whether a scheme so gigantic, and affecting the interests of so many thousands of people, was one which ought to be decided by a Committee of that House, or be submitted to the consideration of a Joint Committee of both Houses, such as that which sat in 1864 on the subject of the railway schemes affecting the Metropolis. That Committee recommended, among other things, the prosecution of the scheme known as "the Inner Circle," but before that scheme was completed, or indeed well begun, and therefore before its advantages could be tested, it was proposed by the Bill to run a line through a large portion of the same district, for the Mid-London Railway, if constructed, would pass from Notting Hill, along Kensington Gardens, between Hyde Park Corner and Paddington, and so on between Oxford Street and Grosvenor Square, till it joined the London, Chatham, and Dover near Farringdon Street. Now, on the Joint Committee which he had just mentioned sat the hon. and gallant Gentleman the Member for North Lancashire, the right hon. Gentleman the President of the Board of Trade, and his noble Friend the Member for King's Lynn, and he should like to have their opinion—an opinion to which he was sure the House would attach great weight—as to whether there would be such a breach of the policy recommended by the Committee in sanctioning the Bill under discussion, as to justify its being thrown out on the second reading. He regretted that the President of the Board of Trade seemed already to have come to a decision on the matter, inasmuch as he had stated, in answer to a question which had been put to him a few evenings before, that he saw no reason for departing in reference to it from the usual course of legislation, and he wished simply to add that if the right hon. Gentleman would assure him that, under the exceptional circumstances of the case, he would consent to send the Bill before such a Joint Committee as that of 1864 he should not object to withdraw his Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Earl Grosvenor.*)

LORD STANLEY said, it was quite true that he had acted as Chairman of the Committee to which his noble Friend alluded. He therefore had naturally looked into the question at issue, although he had no interest whatsoever in the proposed line. He concurred, he might add, with the proposition which had been laid down a few nights before by the right hon. Gentleman the Member for Kilmarnock, that it was not desirable as a general rule to have discussion on the second reading of Private Bills, which had better be left for the more searching investigation of a Committee upstairs. That was a rule which his experience as a Member of the House of Commons taught him to regard as admitting of exceptions; and the present case was, so far as he could see, one of an exceptional character in several respects. His noble Friend had referred to a line known as "the Metropolitan Inner Circle," which received two years ago the sanction of Parliament. That line was not yet completed. He saw Mr. Fowler, the engineer, a few days before, and was informed by him that it would probably be opened in eighteen or twenty months; not taking into account that portion of it which would run along the Thames Embankment. When it was opened it would pass through a large part of the district intended to be accommodated by means of the Bill before the House. It was impossible, therefore, he contended, until the Inner Circle scheme was fairly at work to know how much traffic would remain for the Mid-London, and what the necessity was which existed for its construction. But then it would be asked, what had the question of traffic to do with the providing of additional railway accommodation if companies were willing to supply it? The force of that he was ready to admit in the case in which the House had to deal with small provincial towns or rural districts, in which the inconveniences of making a new line were comparatively insignificant. But the case was widely different in a great city like London, where the displacement of population and the disturbance of traffic caused by the construction of a railway for two or three miles through the very heart of it were matters of considerable moment, although these inconveniences must, of course, be endured whenever the real necessity for such a line could be established. He was not opposed to the creation of all new lines through London, but he thought the House ought not to sanction a new line unless it was a work of real and urgent necessity. There were objections to the proposed line in points of detail, such as that it interfered with Kensington Gardens and Lincoln's Inn Fields, and did not connect itself with the existing Metropolitan line, but he freely admitted that those were matters which might fairly be considered by a Committee upstairs, and the only reason why he opposed the reference of the Bill to a Select Committee was this—that as long as the works of the Inner Circle were incomplete, and that line was not opened, the Committee would not be able to decide that which was the real question—namely, whether the traffic could not be safely provided for without opening a new line, which would cause an enormous interference with various localities.

Mr. ROEBUCK thought that the noble Lord had missed the real question before the House. The points on which he had placed his finger were just the points for the consideration of a Committee upstairs. The real question was whether the House should take an exceptional course and throw out the Bill on the second reading. The noble Earl who moved the Amendment stated that the provision made by the Joint Committee of both Houses was contravened by the present Bill, and therefore it was desirable that the House should learn from the hon. Member for North Lancashire (Colonel Wilson Patten) whether such contravention had taken place, justifying the rejection of the Bill on the second reading.

Colonel WILSON PATTEN, in answer to the appeal just made to him, stated that his opinion very much accorded with that of the noble Lord the Member for King's Lynn (Lord Stanley). He and the noble Lord were members of the Joint Committee which, after the consideration of much evidence, came to the conclusion that a system of two Circles would, on the whole, afford the best means of railway accommodation to all classes in the metropolis; that certain Bills not in accordance with that system should be rejected; and that only the lines which carried out that general view should be submitted to a Committee, over which the noble Lord very good-naturedly undertook to preside, and which came to the resolution already mentioned. He thought it would be a pity, after all the consideration given to the matter, that the general view then adopted should now be upset, and another system of railways established in its place. The main recommendation of the plan of two Circles was that it would distribute the traffic among the different localities better than a system of two straight lines, and he would regret to see that plan interfered with.

Mr. THOMAS CHAMBERS asked the House to consider whether the line by the Thames Embankment or the Metropolitan Railway could afford the smallest accommodation to the mass of population along Holborn, Oxford Street, and down the Bayswater Road. If not, this proposed line would form no interference with the scheme laid down by the Joint Committee. It was to go under and not over Oxford Street, and interfered with Kensington Gardens only by running outside of them. With Lincoln's Inn Fields it only interfered for the purpose of passing through one of the worst districts in London; and it passed through Holborn for the purpose of getting rid of Middle Row, which, to the reproach of the Metropolitan Board, had so long been allowed to remain an impediment in the thoroughfare, and of throwing that part open for the benefit of the public. It was proposed to do all this in a manner the least interfering with the public convenience, and the promoters came before Parliament with more liberal clauses than had ever been proposed to meet objections on the ground of the displacement of the poorer classes. They ought not, therefore, to be prevented from laying the merits of their scheme before a Select Committee. He did not agree with the noble Lord who thought that the Select Committee would not possess all the necessary materials for forming a just decision; for that body might have before them the Report of the Joint Committee of both Houses, and the opponents of the measure would be sure to urge every possible objection against the proposed line.

Sir JAMES FERGUSSON said, that the Bill expressly proceeded on the principles laid down by the Joint Committee of 1864 and the Lords' Committee of 1863, which were mainly to the effect that companies seeking lines through London should connect by underground communication the great through lines of the country. The promoters of the present Bill had observed those conditions, and proposed by an underground railway to connect the London and North-Western Railway with the London, Chatham, and Dover Railway.

Mr. DODSON hoped the hon. Gentleman who moved the second reading of this Bill would not give the House the trouble of dividing upon it. He should be sorry to express any opinion that the Bill was unnecessary, or that it was any interference with the scheme recommended by the Select Committee of 1864; but he thought that to deal with the Bill this year would be premature. The Inner Circle of railway was in process of construction. Before very long it would be more complete, and then they would be in a better condition to pronounce an opinion on a Bill of this nature. Without, therefore, expressing any opinion, he thought it would be well to defer the consideration of the Bill.

Question, "That the words 'upon this day six months' stand part of the Question," put, and *negatived.*

Words *added* : — Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

LONDON (CITY) CORPORATION GAS BILL—(*by Order.*)

SECOND READING.

Order for Second Reading read.

MR. CRAWFORD: Sir, in rising to move the second reading of this Bill, I am about to take what I am afraid some hon. Members of the House will consider to be a great liberty. I am going to ask them to proceed to the consideration of this Bill with their minds free and unbiased by the influences which have been endeavoured to be brought to bear upon them by the various letters and circulars, the button-holdings, the ear-wiggings, and the various other methods by which parties interested in Private Bills endeavour to influence the minds of Members. I will ask hon. Members to do that which their Chaplain every day expresses the devout wish they may be able to do—namely, that they will "lay aside private interests, prejudices, and partial affections," and proceed to the consideration of this Bill, as a Bill which intimately affects the interests, the comforts, and the well-being of 3,000,000 of people. Now, Sir, my own position in reference to this matter is not a very enviable one, because I have on the one hand the corporation of the City of London, representing by the process of annual election a great civic community, requesting me to bring in this Bill, and to move its second reading, and, on the other hand, I have amongst my constituents a vast number of gentlemen interested in gas companies, whose interests I am bound not to disregard. But, Sir, I am not one of those persons who neglect a duty, and I have, indeed, considered it a part of my duty to wade through the whole of the letters and publications that have been sent to me upon this subject. I have read every one of them. I have read the whole of the gas companies accounts; I have also made myself master, so far as I am able, of the Gas Clauses Act of 1847, and the Metropolis Gas Act of 1860, and having done so, I have come to the conclusion that the question of the gas supply of the City of London, and not of the City alone, but of the whole metropolis, is one eminently deserving investigation at the hands of the House. Now, Sir, amongst the number of Gas Bills before the House in the present Session, the Bill of the City of London especially comprehends in its preamble the various points at issue between the consumers and the suppliers of gas, and presents a favourable opportunity for bringing this question under the notice of the House; and it is because I wish that the question may be fairly settled, that the interests, not only of the consumers of gas in the City of London, but those of the whole metropolis, should be considered, that I have placed upon the Paper a notice of a Motion that I shall make, in the event of this Bill obtaining a second reading. I have no desire to occupy the time of the House by going into a long history of gas legislation. It may be sufficient for me to say, that so far as the City of London is concerned, it was supplied until a recent period by two companies, the Chartered Company and the City of London Gas Light and Coke Company; and, in the year 1823, the City was, to use that singular word, "districted," upon the representation of Sir William Congreve. At that time the price of gas was 15*s.* per 1,000 feet, and the price of lighting the public lamps was five guineas each per annum. In the course of years some reduction in the price of gas was effected. By 1844 it had been reduced to 7*s.* per 1,000 feet, and to four guineas per lamp to the public. A further reduction was attempted shortly after; but about 1847 public attention was much excited upon the subject. The corporation of London taking part, as they always had done, and properly so, in aiding the inhabitants of the City, endeavoured to procure the establishment of a separate company to enter into competition for the supply of gas in the City with the two companies which I have named. They, of course, met with vast opposition, and for two years the company, which now goes by the name of the Great Central Gas Consumers' Company, failed in obtaining its Bill; but in the year 1851 the Great Central Gas Consumers' Company entered into an agreement with the City, by which they bound themselves, under covenant, that in the event of the Act being obtained, they would come into an arrangement by which the price of gas should never be more than 4*s*. per 1,000 feet; that it should be reduced to 3*s*. 6*d*., and subsequently to 3*s*., in the event of their sale of gas being sufficiently large to enable them to pay to the shareholders a dividend of 10 per cent. Parliament gave its sanction to that Bill, and the consequence was immediately manifest. The price of gas was reduced to 4*s*. per 1,000 feet, and the price of the public lamps, which was originally at five guineas, was reduced to £2 9*s*. 6*d*. But at a later period, about 1857, the public discontent in the metropolis generally about the supply of gas and the price of gas became very great, the gas companies at that time having come to an understanding among themselves about districting the metropolitan area, which, in point of fact, would enable them to supply gas on their own terms. In the years 1858 and 1859, Committees of this House investigated the question, and, as the result, the Metropolis Gas Act, 1860, was passed, by which, and by the Gas Clauses Act of 1847, the whole question of the gas supply, manufacture, and sale, is now regulated. The City was advised by its law officers that the measures contemplated by the promoters of that Bill would not affect them. They, therefore, took no part whatever in the agitation; but after the Bill had become law, they found upon an appeal to a court of law that they were subject to the law, and that the effect of the law was to annul the understanding which had been entered into between the City and the Great Central Gas Consumers' Company. The consequence of this was that the Great Central Gas Consumers' Company, which had been brought out under the fostering wing of the corporation of London, confederated with the other gas companies, and the price of gas was immediately raised to 4*s*. 6*d*. per 1,000 feet, and the price of the public lamps was increased, until two months ago, to £5 9*s*. 6*d*. per lamp, against the £2 9*s*. 6*d*. per lamp in the year 1853. The effect of this upon the interests of the inhabitants of the City may be well conceived: competition was dead; the gas companies supplied such gas as they chose, and at such prices as they pleased. That state of things continued until a recent period—the gas consumers always complaining, and the corporation always trying to do something on their behalf. In consequence of the attention directed to the subject, the corporation of London gave notice last year that they would introduce a Bill for the purpose of manufacturing gas on behalf of the citizens for their own use. That, in fact, is the Bill now before the House. The application to Parliament for that Bill was a matter of necessity to the corporation, representing, as I have before stated, the ratepayers and the gas consumers of the City. The City finding itself in this position, invited the chairmen of the various gas companies to confer with them. They came—they had a long conference; but the end of it was this: the City on the one hand objected to the quality of the gas, and the quantity of the gas, and the price charged for it; the gas companies, on the other hand, assigned reasons why it was impossible for them at that time to comply with the demands made upon them, but promised, after an indefinite time, that the price of gas should be reduced. The result of the conference was so unsatisfactory to the corporation of London, that they gave notice of the Bill now before the House. Now, Sir, upon the merits of the Bill itself, it is objected to upon various grounds. In the first place, it is said to be an irregular and an improper thing that the corporation should undertake the sale of an article like gas. My answer to that is, that the principle has been admitted by Parliament, and that in many cities and towns throughout the country gas and water are supplied by the corporations of those towns, to the great benefit of the ratepayers and inhabitants; and, I believe, that in those instances where it has been carried out on a large scale, and notably at Manchester, great advantage has been derived from that practice. But, Sir, I am told that the Act of 1860 was a settlement of the question. Well, Sir, I have yet to learn that any Act of Parliament is a settlement of a question. It is as competent for the House to re-consider what it has done at any time, on cause shown, as it is to pass an Act *de novo*. But the point which I wish to come to is this—that the gas companies are bound by that statute to make an annual report to Parliament of the state of their affairs. They have done so. The accounts of all the gas companies, their capital, their receipts, their expenditure and their division of profits are all presented to Parliament, and are to be found on the Library of the

House. Well, the view that I take of the filing of these accounts on the Records of the House is this, that those accounts are intended to be examined by the House, and upon the accounts so rendered the gas companies are to be held answerable to us. It is for that reason that I have ventured to suggest, that in the event of this Bill being read a second time the inquiry should be extended to the whole metropolis, in order to enable Parliament to see that the gas companies have complied with the requirements of the Act of 1860, which compels them to supply gas of a proper quality and quantity, so that their profits shall not exceed 10 per cent. I have examined into the accounts of two of these companies. I will take the case of the Great Central Gas Consumers' Company, because it is one of the companies with which the City has to deal, and I find that in the year 1864 this company was not only dividing the sum of 10 per cent upon its capital, but it also laid by a considerable amount. I find that in the year 1864 the gross profits of this company were £47,428; that they divided 10 per cent upon their capital of £185,400; that they paid themselves a further sum of £11,781 as arrears of dividends due upon former years, and that they carried to a separate account, to the next year's account, a further sum of £17,017, that is to say, that whereas £18,000 was applied to the purpose of paying their dividend of 10 per cent, that they carried two sums, one of £11,000 and the other of £17,000 over and above that amount to other accounts. Now, Sir, the other case to which I will call the attention of the House is that of the Imperial Gaslight Company. That company is possessed of a capital, according to their last returns, of £1,235,000; they have also another item of capital which, I think, requires some investigation. They have £130,000 of what they state to be proprietors' 10 per cent bonds; but as those bonds figure in the accounts, as taking the place of capitalized profits of former years, I take it that these bonds represent the surplus profit of former years, for which nominal bonds have been granted to the shareholders. This increases the amount of capital on which 10 per cent is fairly payable. In the year 1844 this company made a gross profit, in round numbers, of £560,000. Out of this large sum they paid a dividend to their shareholders of 10 per cent on the capital stock. They, of course, paid all their charges. They paid all the interest on their borrowed money. They paid to the proprietors 10 per cent upon their capital, but upon another portion, their proprietors' bonds, they paid £26,000, that is to say, upon that last portion of their capital they paid 20 per cent. Besides that, they credited £42,570 to their contingent and reserved fund, which has now £90,000 in all at its credit. Now, Sir, the proposition that I venture to lay down is this—that in this particular case the Imperial Gaslight Company has made profits largely in excess of 10 per cent, and that the public are not benefited, as it was the intention of the Legislature the public should be benefited, by the diminution in the price of gas. I do not mean to say that the directors and other officers of these establishments are in any way chargeable with fraud, or with any colouring of their accounts; I believe that they simply take a different view of the operation of the Act of Parliament to what other persons do. It is for that reason, having these accounts now before us, that I am anxious that the gas proprietors themselves should be afforded an opportunity to have the affairs of their companies brought up for examination before a Committee of this House. I cannot conceive that the gas proprietors can decline this; if they are right, if their accounts have been properly framed, and submitted in the proper form to Parliament; if they have not divided more than they ought to have done, then the case of the City corporation, now before Parliament, falls to the ground. But if, on the other hand, they can be shown to have divided more profits than they ought to have done, then I say that the corporation of the City of London is justified in coming before Parliament with a Bill to supply the City with gas. There is one point more upon which I should like to say a word. Amongst the companies now before Parliament is a company asking powers from Parliament to erect new works at Hackney Wick, at a cost of £300,000, which they allege to be undivided profits. Now, surely, if the statement which is made in this paper is correct—if this company is coming to Parliament to ask for powers to capitalize £300,000 of undivided profits, in addition to money which they are authorized to raise by their Act of Parliament, it stands to reason that the company must have been charging more during the last few years than they are justified in doing, according to the provisions of the Act of 1860. In the case of these two companies, which are connected with the City, application has been made to Parliament already for permission to lay out a further sum of £1,000,000 sterling. The corporation of London does not ask to supersede the gas companies, but what the corporation of London asks for is this: they say, we find that we cannot bring these companies to reason, and the only way in which we can protect the interests of our constituents is by asking Parliament for leave to compete with them, and it cannot be said, if the City is permitted to take up the ground which these companies are now seeking to take up, that the City is in any way superseding the gas companies. Now, Sir, I hope I have said enough to convince the House that the question of gas is a large question, affecting the interests of the inhabitants of the metropolis; and, as far as the Act of 1860 is concerned, there is *primâ facie* evidence that the gas companies have not acted in the spirit in which that Act was framed, and that the time has come when an inquiry should take place into the operation of that Act, and for that reason, after the Bill has been read a second time, I shall move that the Bill be referred to a Select Committee. A Select Committee of the character I propose has this advantage, that whereas it is not usual in an inquiry before an ordinary Committee to hear parties by counsel, in this particular case the parties interested either for or against in these Bills would be allowed to appear and be represented by counsel before that Committee, so that there would be a thorough and, I should hope, an impartial investigation into the subject. Sir, for these reasons I trust that the House will allow this Bill to be read a second time.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Crawford.*)

VISCOUNT CRANBOURNE said: Sir, I should not have ventured to intrude on the House upon this subject, but for this special reason, that I was on the Committee of which Mr. Sotheron Estcourt was Chairman in 1860, and, in his absence from the House, I feel bound to say a word or two which I do with great reluctance, because my leanings are decidedly in this direction —that, if it be possible, there should be some mode of dealing with these gas companies. I do not think that they treat the public fairly. If there is one thing more important even than to provide against the effects of monopoly, it is the maintenance of the public faith in the House of Commons. What seems to me a matter of extreme importance is, that whatever we do in connection with commercial undertakings, when we hold out prospects by which persons are induced to become connected with commercial undertakings, we should observe the most scrupulous good faith. Now, Sir, this Committee of Mr. Sotheron Estcourt's sat during the greater part of the Session of 1860. After a great deal of dissension and a great deal of conflict, a settlement was arrived at, and that settlement was this—that various parts of London should be, as the phrase is, districted, that is to say, that they should be marked out as, so to speak, the gas property of these respected companies. [*Cries of* "Hear!" *and* "Oh, oh!"] I beg hon. Members who cheer to hear the view that was entertained by the Committee. Certain rigid conditions were imposed upon these Companies as to the amount of illumination that was required of them, and that it should be provided also in accordance with the General Act for all gas companies that after they had divided 10 per cent, and paid up back dividends for a certain limited number of years, I think it was six, and had also provided for the thorough efficiency of their works; that all surplus profit was to be divided to the benefit of the consumer. Well now, as I understand from the hon. Gentleman opposite, his case is, that these conditions have not been complied with, and if the matter had rested there, and he were able to substantiate a *primâ facie* case of that kind, I should not have a word to say against the second reading of the Bill. But my objection is that he has gone to the wrong tribunal. The Committee of 1860 was careful to provide a remedy more easy than an appeal to Parliament in order that the gas consumers might have justice done to them, and they inserted a clause in the Bill of a very peculiar character, and I trust that I may invite the attention of the House to it—

> "The limits of each of the said companies shall be the respective districts supplied with gas by such companies as the same are defined upon four duplicate maps signed by the right hon. Thomas Henry Sutton Sotheron Estcourt, and which maps have been severally deposited with the respective Clerks of the Peace for the counties of Middlesex, London, Surrey and Kent."

Then it proceeds—

> "Provided that at the expiration of three years next after the passing of this Act, and of every three years thereafter, Her Majesty's Principal

Secretary of State for the Home Department for the time being may, either upon the application and with the consent of any two or more of the said gas companies whose districts adjoin one another, make any alteration in the boundaries of such districts, or upon the application of any local authority, or upon the requisition of not less than twenty gas consumers within any district or districts proposed to be affected, and upon proof to his satisfaction being given that any of the said gas companies are not in a condition adequately to supply with gas their respective districts, or have substantially failed to fulfil the obligations imposed by this Act, may make such alterations in the boundaries of such districts or admit any new company respectively, as he thinks proper."

Now, Sir, I want to ask if the corporation of London have adopted that remedy provided for them by Parliament? and I would submit that if instead of going to the Secretary of State, as they are bound to do, they have come with a Private Bill before this House, this House is bound, in respect of the provisions which this Act contains, to have recourse to the remedy provided by law, and when that remedy has failed, and not till then, the parties may come to the House of Commons. Sir, I move that the Bill be read a second time this day six months.

MR. ADAIR: Sir, I have risen to second the Motion of the noble Lord, whose very lucid explanation of the circumstances which led to the Gas Act of 1860, renders it unnecessary for me to make any observation upon the particular part of the subject. But I am anxious to draw the attention of the House to the circumstances under which this proposition comes before it, whose Bill it is, and how it is proposed to be carried out. It appears to me that certain ratepayers of the City of London, being dissatisfied with the quality of the gas supplied to them, and not having thought it necessary to apply to the proper tribunal for redress, that is to say to the right hon. Gentleman the Secretary of State, who sits below me, go to the Common Council of the City of London in a fit of spasmodic activity, and say we must bring in a Bill to remedy their grievances. Sir, who are the Common Council of the corporation of London? Why, Sir, it is the corporation of London itself. And what is the corporation of London? A very venerable and powerful institution, so powerful that it has been able three times to defy the threatened attacks of the right hon. Gentleman below me, and to its own admiration it remains to this day the only unreformed and irresponsible corporation in the kingdom. Well, Sir, the House will hardly be surprised when I draw their attention to some of the clauses of the Bill which emanates from the corporation of the City of London. In the first place, the corporation have a dislike to any interference from any person or body without the walls of the City; and having that dislike, they propose that they shall be exempted from the operation of the Act of 1860, because that relieves them from any superintendence and guiding influence of the right hon. Gentleman who presides at the Home Office. Well, Sir, what do they next propose to do? They then propose that they shall have the power of raising money upon all their funds, upon all their resources, upon all their estates, and upon all their dues whatsoever and wheresoever. Now, I need not call to the recollection of the House the miscellaneous and very extensive sources of income which the City of London possesses. I need not call to their recollection that many of them do not arise within the City of London, but the richest of them is contributed by an area of at least twenty miles around the centre of the metropolis. Well, Sir, with this proposition, they come also with what they consider will be a very attractive proposition. They say, we, your trustees, want no money, we will manage your property for nothing, we will not only give the gas for a mere nominal value, but we will also beautify and improve your streets and the metropolis at large. Now, Sir, I think I may venture to say, that if my hon. Friend the Member for the City, and his colleagues, go to a tribunal upstairs, that tribunal will not be inclined to take the same view as he has been advised to do. But, Sir, there is another very peculiar point in this Bill, which is, that a corporation propose to deal with the property of two or three existing companies, making no provision whatever from the beginning to the end of their Bill for in any way compensating or purchasing existing interests. Now, Sir, I venture to say that, with the exception of one or two boroughs in this kingdom, there is no municipal corporation who light a town, who has not done that in one of three ways; it has either originated the lighting when it had no lighting, or it has compensated existing interests, or it has absolutely purchased existing interests. Now, Sir, I think that these are questions which are well worthy the consideration of the House, and for this reason I hope that the House will not consider it right and proper that this Bill should not proceed to the stage of a second reading. I object to it on the responsibility of the corporation whose Bill it is; I object to it likewise that the taxation is general, and that the benefit is local and limited; I object to it moreover, that under the operation of the Act, any one of the opposing companies may be summoned at the instance of the Commissioners of Sewers, they themselves a portion of the Common Council, summoned before another member of the corporation, the alderman who happens to be the magistrate of the day, and that therefore this corporation must virtually sit as judge on those who are their rivals in trade. I think I need hardly supplement an arrangement of that sort with any further observations. Now, I appeal to the House whether there ever was a more striking instance of civic torpor and administrative incapacity. I therefore hope that this Bill will not be allowed to proceed further, and I hope that the metropolitan gas companies will not be allowed to be harassed by projects of the same nature, and with the same object. I think the House would do well to oppose any tendency of that sort, if it is calculated to foster the idea and encourage the expectation that this legislation may emanate from this House, if it be only pressed forward by well sustained importunity. Sir, for that reason I second the Amendment of the noble Lord, that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Viscount Cranbourne.*)

MR. ALDERMAN LAWRENCE: Mr. Speaker, after the last speech I feel it incumbent upon me to say a few words with regard to the matter before the House. The hon. Member who has spoken in favour of this measure being read this day six months, has alluded to circumstances which have nothing whatever to do with this Bill. This Bill has been introduced by the corporation of the City of London, because it has been pressed upon their notice by the whole of the inhabitants of the City, and the corporation feels that when they do anything for the benefit of the City, they do it also for the benefit of the inhabitants of this great metropolis. Sir, on the last occasion when the gas companies united to prevent another company being introduced into the City of London, the same attacks were made, the same arguments were used as on the present occasion, in order to prevent the new company being introduced into the City of London. What was the effect of the introduction of that new company into the City of London? It was to reduce the price of gas throughout the whole of this metropolis, and throughout every city and borough in the kingdom. That was the effect of the introduction of a new gas company into the City of London. Now, on the present occasion the gas companies seem to be afraid of a Committee of Inquiry upstairs. That is the wish of the corporation, that the whole of the Bills which are now introduced may be sent up to that Committee, and that there may be a full and fair inquiry into the subject, and they have no fear as to the result. Now, Sir, it is quite clear that the whole of this metropolis is unanimous that the manufacture of gas ought to be removed to places out of the City of London. It has been shown that gasometers may explode, and therefore it is necessary that the gasometers at Whitefriars should be removed to some place beyond the City, to a distance which would not endanger either St. Paul's or the Temple; and the gas companies, in order that they may prevent an inquiry, are anxious that this Bill should be thrown out on the second reading. We know that the gas which is supplied to the House of Commons is of very pure quality, and sufficient in quantity, and suits the purpose for which it is required. But the public does not know that that gas is manufactured specially for this purpose, and that it has a 22-candle illuminating power; and in the same way the House is not aware of the quality that is supplied to the general consumer. The public say that the article supplied to them is deficient in quantity, and is bad in quality, and that they have to pay a high price for it, and that it damages the sight of those who use it. Now, Sir, I think that a fair case has been made out why this Bill should have a second reading, and why it should be sent to a Committee upstairs; and I can tell my hon. Friend, who says he hopes that Bills of this kind may not be brought forword annually, that if he succeeds in throwing this Bill out, the inhabitants of the district will band themselves together, in order to adopt some means by which they may protect themselves.

SIR GEORGE GREY: Sir, in consequence of the statement of the noble Lord (Viscount Cranbourne) who was a Member of the Committee of which Mr. Sotheron Estcourt was Chairman, by which the present arrangement with respect to the gas companies was settled, I will say a few words upon this subject. Now, the noble Lord stated very fairly the clause, the substance of which he read to the House, which, in fact, after providing for the metropolis being divided into certain districts, provides that on the application of certain persons, those districts may be re-arranged by the Secretary of State; but I rather think the noble Lord misled the House, I am sure, unintentionally, when he spoke of the power of interference of the Secretary of State under that clause. I will read the lines of the clause, which I think will put the House in possession of the real state of the question. At the end of the clause it is stated—

> "And no other company or person than the company to whom such limits are for the time being assigned, or shall hereafter be assigned, shall supply gas for sale within the said limits unless authorized by Parliament so to do."

This clause, therefore, contemplates an application to Parliament for a new company, with power to override those powers under that Act. Now, Sir, the question is, whether a case for such a Bill has been made out? And I think that on a fair construction of that clause, no breach of faith can be imputed to Parliament by giving a second reading to this Bill. There is, in a subsequent clause, another power given to the Secretary of State, in case of complaint made of the quality or quantity of gas. He may then appoint a competent person or persons to inquire into those complaints. In one case, and in one case only, a complaint under that clause has been made to the Secretary of State, and he directed an inquiry to be made as to the gas supplied in the district to which the complaint referred. The gentleman appointed to make the inquiry reported that the gas was defective, and the company were required in the terms of the Act to remedy the defect. No other complaints have been made, and I presume that in that district the defect was remedied. Now, I think that the hon. Member for the City of London has made out a case for inquiry. Then, Sir, the question arises, should a Committee of this House be appointed specially to conduct that inquiry, or would it be better to read this Bill a second time, and refer it to a Committee to which the Bills have been submitted that have been promoted by these gas companies themselves? I am inclined to think that the best way would be to read this Bill a second time, and refer it to the Committee suggested by my hon. Friend, and to instruct that Committee to inquire into the operation of the Act of 1860. If the result of that inquiry should be to show that those gas companies have not fulfilled the conditions which they were bound to fulfil, they will report accordingly. If the gas companies show that the conditions imposed by the Act of 1860 have been fulfilled, then I think there is no case for the Bill; but if, on the other hand, it be shown that they have not fulfilled those conditions, then I think this Bill might be allowed to proceed.

Mr. ROEBUCK: One word, Sir, and that is as to the truth of the statement that the House itself is a very unfit tribunal for trying questions of this kind. Can anybody doubt for an instant from the appearance of the House that the House has been packed for the occasion? That is, people have been taken by the button-hole, letters have been written, constituencies have been applied to. Now, I want to know by whom? Why, by the gas companies. Now, Sir, I ask the House, for its own honour, to consider what it is doing, and to ask itself whether it is now acting in that judicial capacity in which a Private Bill calls upon them to act, and whether they are worthy to do so? Now, Sir, what does the hon. Member for London himself say? Why, that he is in a peculiar position. That on the one side there is the corporation of London, and on the other the gas companies; that he is pulled by one tail of his coat by one, and the other tail of his coat by the other. Is it not clear that the proper course is to send this Bill to the tribunal which the wisdom of Parliament has long ago said is the proper judge of private legislation, and that we should not take upon ourselves, in this unseemly manner, to decide this question?

Mr. CRAUFURD: Sir, I am not connected with any gas company, therefore my vote will not be interested, but the reason why I object to this Bill being read a second time is that it involves a question of principle. If the gas companies have misconducted themselves let there be an inquiry. The gas companies themselves, I am sure, will be the first to court an inquiry. There are plenty of Bills before the House promoted by gas companies which will give the opportunity of an inquiry or, it might be, a Public Committee. The other day the reason given why this House should not object to a second reading of a Bill, on which a grievance was alleged against a railway company was that there was no Bill before the House which would give the opportunity of inquiry; but in the present case there are plenty of Bills promoted by the various gas companies, on which inquiry might take place. But the ground, and the principal ground, on which I ask the House to reject this Bill is the principle on which this House ought to legislate—namely, to refuse corporations the power of competing with existing gas companies. There has not been a single case in which this House has acceded to this proposition. Last year a Committee sat upon a Private Bill, and one of the Committee on that Bill was no less a person than the right hon. Gentleman the present Chancellor of the Duchy of Lancaster, whose views on that occasion I might quote in opposition to the arguments of his colleague, in the representation of the City of London. There are many instances which might be quoted to show that no corporation has been allowed to compete with existing companies. That is the principle of the Bill. Will this House sanction solemnly the second reading of this Bill, which involves a principle which has been uniformly and unanimously rejected by the House? On that ground, and on that ground alone, that being the principle of the Bill, I entreat the House not to agree to the second reading.

Mr. AYRTON: Sir, no man is more likely to defer than I am to the wish of the House to divide; but there are occasions when it is necessary to say one word before a division takes place. The question really is this—Will the House divide on the mere question of form, or will it divide on the substance of the question before it? No doubt if we divide on the form, we shall almost be unanimous in rejecting the second reading of this Bill, because I can hardly conceive that the House of Commons would grant power to the City of London to constitute itself into a gas company; but, independent of the question of form, there is besides the great question of substance; that is, whether the House will avail itself of the present proceeding to extend the inquiry into the operation of the Metropolis Gas Companies Act? And I beg the House not to reject this substantial question too hastily, because I happened to be one of those called on to represent the inhabitants of the metropolis in their endeavours to have that Act passed, and I was a Member of the Committee upstairs which sat to take evidence leading to the introduction of that Bill, and I recollect when we were endeavouring to take that evidence, the inquiry was defeated by the interest of the gas companies by their having a resolution passed that it was desirable that an investigation should take place with the assistance of counsel, at the instance of some parties interested in the inquiry, and we, not having funds at our disposal to combat those gas companies, were obliged at once to abandon the inquiry, and I myself made a Motion that the Committee report its proceedings to the House; and it was in consequence of that course taken by the gas companies on that occasion that there was not that full inquiry which should have taken place before legislation, and it was in consequence of the difficulty we were placed in in endeavouring to obtain for the inhabitants the light which we demanded, that that Act was imperfect. But the Act having been passed, no doubt we are bound to observe public faith, but we are only bound to observe it according to the strict letter of the Act, considering the circumstances under which it passed. Now, Sir, the corporation of London took no part in the inquiry; I never knew it do anything for the benefit of the inhabitants, and, therefore, I am not surprised at it; but the question is, whether, making allowance for the inexperience of the corporation of London not doing anything for the public good, we ought not now to look to the substance of the question, and not to be carried off by a mere idle form, because it is a mere idle form; if we are to reject the second reading of this Bill, if it is to be passed under the conditions proposed by the hon. Member for the City of London. I have had some experience in what are called Hybrid Committees; I apprehend that when you read a Bill a second time you do not pledge your mind to the principle of the Bill: what you pledge yourself to is the instructions in the first instance, and I apprehend the Committee must form its proceedings upon the instructions it receives before it can proceed to the Bill itself. Therefore, the substantial question is, will you allow a Committee to be appointed upstairs? Now, Sir, I ask the House to agree to that upon this ground, that no such Committee in the face of these wealthy gas companies can possibly pursue the inquiry unless there be some one before it, possessed of great resources and means, for the purpose of conducting that inquiry; and if the corporation of London, for the first time, propose to devote some of its resources to such an inquiry, I say that we ought to allow it to do so. It is the first time that they have passed from "gastronomy to gas," and I hope that the House will, pledging itself to nothing, agree to the instructions which my hon. Friend has proposed in the interest of the public.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 219; Noes 193: Majority 26.

Mr. Serjeant Gaselee, Member for the Borough of Portsmouth, came to the Table, and stated that he had gone by mistake into the wrong Lobby, and while intending to vote with the Noes had voted with the Ayes; but Mr. Speaker stated that as he had gone into the Lobby with the Ayes, and had been counted with them, his Vote must stand so recorded.

Main Question put, and *agreed to.*

Bill read a second time.

Mr. CRAWFORD: I now move, Sir, that the Bill be referred to a Select Committee of twelve members, five to be chosen by the Committee of Selection, and that it be an instruction to the Committee to inquire into the operation of the Gas Act of 1860.

Mr. ROEBUCK: Before you put the Question, Sir, allow me to call the attention of the House to the fact that there are two retorts or gasometers, where gas is made and stored, near the Temple. Some time ago a serious accident occurred through the explosion of a gasometer, and I think that it ought to be a special subject of inquiry before the Committee, whether there can be any safety in the City while this state of things is permitted to exist.

Mr. AYRTON: There is a Bill before the House for the removal of these works, and I think it is part of the arrangement that that Bill should go before this Committee, and then the whole subject will be discussed.

Bill *committed* to a Select Committee of Twelve Members, of whom Five shall be nominated by the Committee of Selection: *Instruction* to the Committee to inquire into the operation and results of "The Metropolis Gas Act, 1860."—(*Mr. Crawford.*)

And on April 13 Committee *nominated* as follows:—Mr. Hastings Russell, Mr. Dutton, Mr. Woods, Colonel North, Mr. Morrison, Mr. Westropp; and on April 16 Mr. Alderman Lusk *added;* and on April 17 Colonel North *discharged*, Mr. Staniland *added.*

CATTLE CARRYING VESSELS.

QUESTION.

Sir MATTHEW RIDLEY said, he would beg to ask the President of the Board of Trade, Whether there be any intention on the part of Her Majesty's Government to extend the system of inspection and survey now applied to Emigrant and Passenger Ships to Vessels engaged in the Cattle-carrying trade, with a view to securing the health, safety, and comfort of animals brought into this Country, either for the purpose of being slaughtered for food, or for dairy and breeding purposes?

Mr. MILNER GIBSON: Sir, it is not the intention of the Government, as at present advised, to bring in any Bill in order to extend the system of inspection and survey now applied to the Emigrant and Passenger Ships to vessels employed in carrying cattle. Various regulations of a sanitary character have been proposed with respect to the importation of foreign cattle, for the purpose of preventing the introduction of contagious cattle diseases into this country. It has appeared, however, to the Government advisable that a Committee of this House should be appointed to inquire into this subject, and it is worthy of consideration whether such Committee should not also inquire whether any or what regulations should be imposed on the inland carrying of cattle by railways.

GRIEVANCES OF INDIAN OFFICERS.

QUESTION.

Lord WILLIAM HAY said, he wished to ask the Under Secretary of State for India, Whether it is the intention of Her Majesty's Government to propose to the House the measures to be taken in consequence of the Report of the Second Commission on the grievances of Indian Officers, before issuing instructions on the subject to the Government of India; and, if so, when they will be submitted to the House?

MR. STANSFELD, in reply, said, he was not able to name the day when the matter would be submitted to the House. It would be his duty when the time came to make a statement as to the nature of the measures which the Government were prepared to recommend. They had no desire to avoid Parliamentary discussion, or an expression of the opinion of the House on the question to which the noble Lord referred.

IRELAND—THE CATHOLIC UNIVERSITY.—QUESTIONS.

MR. LOWE said, he rose to ask Mr. Attorney General for Ireland, Whether he will obtain and lay upon the table of the House the following information with regard to the Catholic University:—The Instrument of its foundation; the authority by which it professes to confer Degrees, and a list of such Degrees; the number of its Students for each year since its foundation; and by Students he understood Students actually studying in the University, not affiliated to the Institution, and not evening Students; also the number of Professors?

SIR HUGH CAIRNS said, he desired, before the Question was answered, to put that of which he had given notice, having reference to the same subject. He wished to ask Mr. Attorney General for Ireland, whether the changes contemplated in the constitution of the Queen's University in Ireland are to be affected by a surrender from the Corporation of their present Charter, or in what other manner; and if by a surrender of the Charter, whether the assent of the University to such surrender has been obtained?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, in answer to the Questions put by the right hon. Gentleman (Mr. Lowe), he begged to state that the Catholic University was a voluntary institution, it did not receive aid from the State, and was not under its control, and he was not, therefore, in a condition to produce the information asked for; but he should be happy to make inquiries, and if he succeeded, he would lay the result on the table. In reference to the several points to which the right hon. Gentleman had alluded, he might state that, as the Catholic University was founded by the Roman Catholic prelates in Ireland, he was not aware that there was actually any instrument of foundation. As to the second point, the power to confer degrees, it had no such authority, and he believed it did not profess to confer any degrees except in theology. He was not in a position to give the number of students or professors. He had only access to the University Calendar, and consequently could not give authentic information on these points. With respect to the Question of the hon. and learned Member for Belfast (Sir Hugh Cairns), as to the mode in which the changes contemplated in the constitution of the Queen's University in Ireland are to be effected, he had to state that the mode of effecting these changes had not yet been finally decided upon. The changes which it was in the contemplation of the Government to recommend would be shortly laid on the table in the form of a letter from the Secretary of State to the Lord Lieutenant of Ireland. It would, of course, be necessary to obtain the assent of the governing body of the Queen's University to those changes, and that assent had not yet been asked for.

CONSULATE AT BANGKOK.

QUESTION.

MR. WYLD said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether Mr. Knox, Her Majesty's Consul at Bangkok, had returned to his post; why he quitted it; and if any one was left in charge at the Consulate during the absence of Mr. Knox?

MR. LAYARD said, in reply, that Mr. Knox, Her Majesty's Consul at Bangkok, had returned to his post, which he had acquitted in consequence of very important affairs connected with British interests. The Government entirely approved his proceedings. In his absence he had left an officer of great ability and experience perfectly competent to manage affairs in charge of the Consulate.

SPECIAL JURY SUMMONSES.

QUESTIONS.

MR. WHATMAN said, he rose to ask Mr. Solicitor General, Whether, in the case of householders liable to serve on special juries, and resident in such houses during a part only of the year, and not occasionally, returning at other times, the High Bailiff of Westminster, or other summoning officers, are right in leaving summonses for such persons, their houses being shut up during such absence, to serve on juries whilst they are so absent; whether the High Bailiff of Westminster and other summoning officers ought to ascertain whether such persons have been so summoned during their absence before serving them with a peremptory order to pay a fine of £10, &c., and putting them to further trouble and inconvenience to be excused paying the fine imposed; whether, considering the inconvenience of this practice, and the consequent uncertainty of the suitors in court obtaining a full special jury, any steps will be taken to amend this practice; and whether the exemption of Members of Parliament to serve on special juries ends with the Session of Parliament, or whether it is continued by the successive prorogations of the House? Perhaps the House would allow him to add that the reason for his putting the question was that he had received a summons from the High Bailiff of Westminster to attend at his Court some days after the date at which he was required to attend. He subsequently received a notice informing him that he had been fined for non-attendance, and upon stating the circumstances to the officer he was told he must apply to the Court in order to have the fine remitted.

THE SOLICITOR GENERAL, in reply, said, that special jury lists were made out by the parish officers, whose duty it was to place upon the list the name of every householder qualified to serve. Special sessions were held for the purpose of revising the lists, and if the hon. Member found his name improperly placed upon the list his remedy was to apply to the Justices to expunge it. When the list was made out it was entered in the jury book for the following year, and then it became the duty of the summoning officer to summon every person whose name appeared in it. It was not the duty of the summoning officer to inquire whether any person liable to be summoned was or was not permanently resident in London, as it was sufficient to leave the summons at the place of residence, there being no necessity for personal service. If the person summoned desired to have the fine for non-attendance remitted on the ground of his absence from town, he must apply to the Court, who would take the matter into consideration. In answer to the third Question of the hon. Member, he believed that some inconvenience had arisen from the fact that many persons occupied residences both in London and in the country, which gave rise to much difficulty. At the same time, he must say that there was great difficulty in obtaining a full number of special jurors, and he thought that the question whether there should not be some legislation on the subject deserved consideration. With regard to the last Question of the hon. Member, as to the liability of Members of that House to serve upon special juries, he must remind the hon. Gentleman that their exemption was not founded on any statute, but merely upon the privileges of the House. There could be no doubt that a Member of Parliament was exempt while Parliament was sitting, and in 1829 it was decided by the then Speaker that a Member was exempt when the House adjourned. The question whether that exemption held good during a prorogation had not yet been settled by any authoritative decision, but it appeared to him that exemption from serving upon special juries could not be less extensive than the exemption from arrest. He was, therefore, of opinion that the exemption referred to extended over a prorogation.

SALE OF BEER.—QUESTION.

SIR FITZROY KELLY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether a Return can be made by the Government of the quantity of Beer sold in the United Kingdom in any one year; and, if so, whether there is any objection to a Motion for such a Return for the years 1862, 1863, 1864, and 1865?

THE CHANCELLOR OF THE EXCHEQUER: Unfortunately, Sir, it is not in our power to give any Returns on the subject which I could in any manner guarantee. There are apparently the means of rendering such Returns, because the licences of brewers are charged according to a scale, the steps of which are described by so many barrels of beer. Therefore, it may be supposed that we have the power of giving very nearly the number of barrels of beer. But in point of fact, although that law is founded, and always has been founded, on a certain number of barrels of beer—that is, a supposed number of barrels of beer, or the number of barrels of beer computed to be brewed from the quantity of malt used by each maltster, which quantity of malt of course is known—yet there is no rule of knowledge whatever. In point of fact, information given on that ground, while it might mislead people by an appearance of reality, would be but of a deceptive character.

CATTLE DISEASES BILL—REMOVAL OF HIDES—THE TANNING TRADE.

QUESTION.

COLONEL EDWARDS said, he would beg to ask the Secretary of State for the Home Department, Whether, considering the staple trade of many towns, and of Beverley in particular, will, if the present restriction be continued, be injured, and a large proportion of the population thrown out of employment, it is the intention of the Government to redress the inequalities in the Tanning Trade now arising out of the differences in Local Orders with regard to the removal of Hides, by issuing an uniform Order in Council on the subject?

MR. BARING said, in reply to the Question of the hon. and gallant Member, he had to state that the Government was aware that there was a very great disturbance in the tanning trade, mainly in consequence of the decision at which Parliament had recently arrived, prohibiting the removal of cattle by railway until the 25th of March, and the result of which was that animals were slaughtered in places where there were no conveniences for doing so. The Question, however, was now before Parliament in the form of clauses contained in the Bill introduced by the hon. Member for North Northamptonshire (Mr. Hunt), which was now in another place. He was informed, and he believed, that the Bill would be sent down to that House shortly, and, therefore, until Parliament should have expressed an opinion upon the subject, it would be clearly improper on the part of Government to issue any Order on the subject.

COLONEL EDWARDS said, he wished to know, whether Government were inclined to support the clause having reference to this subject which had been introduced into the Bill of the hon. Member for North Northamptonshire when it came down to that House?

SMITHFIELD DEAD MEAT MARKET.

QUESTION.

MR. M'CULLAGH TORRENS said, he would beg to ask the Secretary of State for the Home Department, Whether he has any objection to lay upon the table a Memorial addressed to him by the Churchwardens and Inhabitants of St. Sepulchre's parish in November last regarding the Smithfield Dead Meat Market and the Correspondence consequent thereon?

SIR GEORGE GREY said, there would be no objection to the production of these Papers, which might be useful as showing the course which the Government had taken upon the subject with the corporation of London. If the hon. Member would move for the Papers they would be given.

CLERKS TO JUSTICES BILL.

LEAVE. FIRST READING.

MR. COLVILLE, on rising to ask for leave to bring in a Bill to prohibit Justices' clerks for counties conducting prosecutions in cases where the offender has been committed by the Justices to whom he acts as clerk, said, he sought to introduce no new principle, but simply to extend to counties the prohibition which had long existed in boroughs. He felt most strongly how much all those who acted as Justices were advantaged by the assistance of well qualified clerks, but the clerks were, he thought, unfortunately, paid by fees, and a very strong impression existed out of doors that in advising decisions the clerks were influenced by pecuniary motives. Certainly, the fees increased by a commitment; and with £6 or £7 looming in the distance if a prosecution was to be conducted by the clerk in the event of the offender being committed for trial, the pecuniary advantages obtained by a Justices' clerk by recommending a commitment or conviction were considerable. He asked to be allowed to bring in his Bill to avoid in part this scandal. Clerks in boroughs had been prohibited from conducting prosecutions since the time of the passing of the Municipal Corporation Act. The tendency of modern legislation was to prevent officers having any money benefit from advice judicially given. Coroners were, by statute, forbidden to conduct prosecutions where cases had come before them or their jury. He (Mr. Colville) asked the House to extend the same prohibition to County Justices' clerks. He quoted a judgment given by Lord Campbell in the case of R. *v.* Fox, where the Judge said—

> "Unpaid magistracy have been and are a great credit to the country, but it is of the last importance that the clerk should have no interest in the prosecutions, that he should have no bias in his mind, and that he should obtain no advantage, either directly or indirectly, from those cases in which he has to give advice."

He thought that hon. Members, on whichever side the House they might sit, would agree with the remarks made by the learned Judge, and he hoped they would give their support to his Bill.

SIR GEORGE GREY said, that the Government had no objection to the introduction of the Bill.

Motion *agreed to.*

Bill to prohibit the Clerks to Justices in Counties conducting the prosecution of any offender committed for trial by the Justice or Justices for whom they are acting as Clerk, *ordered* to be brought in by Mr. COLVILLE and Sir HENRY HOARE.

Bill *presented,* and read the first time. [Bill 53.]

CAPITAL PUNISHMENTS WITHIN PRISONS BILL.

LEAVE. FIRST READING.

MR. HIBBERT, in moving for leave to bring in a Bill to permit Capital Punishments to be carried out under certain regulations within the interior of Prisons, said, he should have been very glad to leave the question entirely in the hands of the Government if he had perceived any disposition on their part to bring in a Bill on the subject, and a desire to carry it to a successful issue. He was personally careless as to the fate of his own Bill, provided he attained the object he had in view. He wished to make a few remarks on the question with which the Bill he asked leave to introduce sought to deal, because last year, when he had the honour of submitting a similar measure, he was prevented making any statement by the fact that the subject was at the moment under the consideration of the Capital Punishment Commissioners. In looking at the question he could not help referring to the very great change which had taken place in our penal system and in our penal laws during the present century. The House, he was sure, would agree with him in thinking that civilization had advanced concurrently with those changes, and that a mitigation of our penal laws had been produced by the force of public opinion. At the commencement of the present century criminals were hung, one might say, in droves; there were then no less than 160 crimes subject to capital punishment. He could not avoid referring to those times when the pillory was a public punishment, when culprits were hung in chains, and whipping was resorted to as a means of correction. He did so to show how the rigour of the law had been relaxed, and how the result justified our doing away with the few remains that were left of the barbarism of a past age. Those changes had not been carried out without considerable difficulty and opposition. It required at the early part of the present century a Romilly and a Macintosh to produce the smallest mitigation of the terrors of the law; and in the present age we were much indebted to the hon. Member for Dumfries (Mr. W. Ewart) for his efforts to reduce the severity of our penal code. In reviewing our laws as to capital punishment we should find that in the year 1754 the country was not satisfied with merely hanging a man outside the gaol, but required him to be publicly carted from Newgate to Tyburn. There he was hung in chains, and, after the body had been cut down, was dissected. A few years later Parliament required that execution should follow sentence within forty-eight hours. A few years later, again, the culprit during those forty-eight hours was allowed nothing for his sustenance but bread and water. It was not until 1832 that any indication was given of an opposite feeling in our nature. In that year the Judge had the option of saying whether the body after execution should be dissected. Two years passed on, and a further step was taken in this direction. Two years later, again, the law was put into pretty nearly the state in which it stood at the present time, the body being buried in the precincts of the place where the criminal had been confined previous to his execution. That was the last legislation which took place. This mitigation of punishment had not had the effect of increasing crime; for he found in the "blue book" that in the ten years ending with 1832 the average number of executions per annum was 12·8, or 1 in 996,000 of the population; in the ten years ending 1842, 9·7 executions per annum or 1 in 1,536,000; in the next, 10·6, or 1 in 1,596,000; and in the next decade, ending with the year 1862, 11 executions per annum, or 1 in 1,727,000. Those figures bore out what he had stated—namely, that as the penal laws were mitigated, so crime, instead of increasing, had rather decreased. He would not take up the time of the House by referring to the very unpleasant scenes which took place on the occasion of a public execution. Every hon. Member would have read the thrilling descriptions that appeared in the press of what occurred on the occasion of the execution of the five pirates, and also of the man Müller. He would quote an extract from *The Times'* report of the execution of Müller, and he did so more especially because that journal had expressed a strong opinion against his proposal. The writer of the extract to which he referred said—

> "It was such a concourse as we hope may never again be assembled either for such a spectacle, or for the gratification of such lawless ruffianism as yesterday found scope around the gallows. . . . There can be only one thing more difficult than describing this crowd, and that is to forget it. . . . None but those who looked down upon the crowd of yesterday will ever believe in the leisurely, open, broadcast manner in which garotting and highway robbery were carried on. . . . Such were the open pastimes of the mob from daylight till near the hour of execution. . . . The impression, however (speaking of the silence at the time of execution itself), if any it was, beyond that of mere curiosity, did not last for long; and before the slow slight vibration of the body had well ended, violence, laughing, oaths, obscene conduct, and still more filthy language, reigned around the gallows far and near."

The majority of the press in London and the provinces concurred in the alteration which he proposed, and even *The Times* had seen reason to change its views. That journal stated that the time had, perhaps, arrived when these executions should not be carried out in so large and populous a place as the metropolis. No one anxious to promote civilization could wish to see the recurrence of a scene of that kind. He must say for the press of this country, that, with some exceptions, it was to a very great extent in favour of the change he proposed. It was not in London alone that scenes like that he had referred to occurred. He could give the House as harrowing a description of scenes that took place at Kirkdale, near Liverpool. On one occasion above 100,000 persons were present at an execution there, and on another occasion 200,000 people were drawn from various parts of the manufacturing districts, many of them having travelled night and day to Liverpool to witness an execution, and they were content with catching a glimpse of the last agonies of the dying man. Two points had been raised by way of objection to executions being carried out in private. One was that if they did away with public executions they at once destroyed the deterrent effect on possible criminals; and the other was that they could not carry out executions in the gaol and at the same time satisfy the public that the sentence had been duly carried out. With respect to the deterring effect of public executions a letter appeared a few days ago in one of the morning papers from Dr. Lyford, a gentleman long connected with the Winchester County Gaol, in which the writer stated that it had been his painful duty to witness on the scaffold about forty executions, and that on inquiring of the culprits, just immediately before their execution, as to whether they had ever been present at public executions, with two exceptions all replied in the affirmative, and several stated that they had witnessed many. He had letters from numerous persons in different parts of the country—gaol chaplains and others—very much to the same effect. He had also a letter from Mr. Thomas Wright, known in Lancashire as the prison philanthropist, who having attended more than fifty criminals to the gallows, gave it as his opinion, founded on his own observation, that public executions were not deterring in their effect. The Capital Punishment Commission had very carefully considered this question, and they recommended that—

> "An Act be passed putting an end to public executions, and directing that sentences of death should be carried out within the precincts of the prison, with such regulations as might be considered necessary to prevent abuse and satisfy the public that the law had been complied with.

He would not enter into the evidence which had been given before the Commissioners; he had no doubt it would be well weighed by hon. Gentlemen; but he desired to remind the House that fourteen or fifteen of the witnesses examined had spoken in favour of the change he proposed, and that several Continental and American States had long since carried out the principle of private executions with success. The countries in Europe in which executions were not public were five in number—namely, Prussia, Bavaria, Saxony, Hanover, and Brunswick. In Prussia the system had been in operation since 1851, and in the other countries since 1856. In America the system was in operation in five or six different States, among them being New York, Pennsylvania, Massachusetts, and Maine. In the Report of the Capital Punishment Commission there were replies from those different States of America showing that the plan had been entirely successful in that country, and that they did not wish to change it again for the system of public execution. The evidence which bore in the strongest degree in favour of his proposal was that which had been received from the Australian Colonies. In South Australia the system had been in operation since 1858, and in Queensland, Van Diemen's Land, and New South Wales since 1853.

The Governors of these several colonies in every instance stated, in reply to questions sent out to them from this country, that not only did they consider the present system of carrying out executions within the gaols to be as deterrent as the public system, but that there had never been since the system was put in operation the slightest suspicion on the part of the people that the sentence was not duly and properly carried out. In order that the same result might attend the adoption of the plan in this country, he proposed to provide that the sheriff, the gaoler, and other persons connected with the gaol, should be compelled to witness the execution, and that the magistrates of the locality and the representatives of the press should be permitted to be present at the time of execution. He also proposed to give the sheriff power to admit others who might think proper to be present. He next provided for a coroner's inquest being held within a certain number of hours after the body had been cut down, the jury to consider whether the sentence had been duly carried into effect; and then he provided that certificates, signed by those parties, should be sent to the Home Secretary, and also posted outside the gaol immediately after the execution. He thought that an execution conducted in that formal and solemn manner would be far more awful than the present mode of carrying it out in front of Newgate or the other gaols of the country. In this belief he had every confidence that the House would, in the interest of justice, humanity, and religion, support the Bill which he now asked leave to introduce.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to propose for the carrying out of Capital Punishments within Prisons;"—(*Mr. Hibbert.*)

SIR GEORGE GREY: I do not propose to offer any opposition to the Motion of my hon. Friend. He has given great attention to the subject of his Bill; and has many times called the attention of the House to the principle upon which it is founded. The measure he proposes for our consideration does not touch in any degree, as I understand it, the question whether we should have capital punishment or not; it simply relates to the mode of giving effect to that punishment. Permit me, Sir, to remind the House of what has taken place upon this subject. When I announced the intention of the Government to advise Her Majesty to issue a Royal Commission to consider the question of capital punishments, I assented to a proposal to offer for the consideration of the Commissioners whether those punishments should be conducted in private or as at present. And I would take this opportunity of saying how much we owe to the Members of that Commission, who, after spending much of their time in hearing and weighing the evidence placed before them, have come to so clear a conclusion upon the whole matter. Their Report is very valuable, and I trust by its aid we may be able to make a real and substantial improvement in the law. I think they took a good deal of evidence with regard to that part of the subject to which my hon. Friend referred. The Government obtained for them the information you have heard from my hon. Friend, with respect to the conduct of executions in the colonies, and I confess those facts have produced a great impression upon my own mind. Indeed, I stated my opinion upon that point when I gave evidence before the Commission in favour of the proposed change. The majority of Commissioners reported in favour of the change. The course the Government have taken with regard to the Commissioners' Report is this: they have prepared a Bill which has been very carefully considered, and is now being revised by Mr. Waddington, the Assistant Secretary of the Home Department, who was one of the Commissioners. The measure is also in the hands of one or two other Members of the Commission, and it has been framed with a view to give effect as much as possible to the recommendations contained in their Report. My own opinion is that it would be better to deal with the recommendations of the Committee as a whole. I think my hon. Friend when he sees the Bill will say that it very fairly embodies his own views as to the mode of dealing with capital punishments. Looking to the present state of public business, probably the best way of obtaining for the measure full consideration at the earliest moment would be by introducing it in the other House of Parliament. I should be sorry for a moment to have the appearance of dictating to my hon. Friend, but, under the circumstances, I hope he will not press on the second reading, being assured that the subject must be brought before Parliament in a Bill founded on the Report of the Royal Commission.

MR. GILPIN said, he was not about to oppose the introduction of the Bill; because so much consideration at least was due to the earnestness and attention given to the whole subject of capital punishment and the criminal code by his hon. Friend (Mr. Hibbert); but he (Mr. Gilpin) was one of those who entertained an opinion that had grown with him—that this strangling of human beings for the purpose of illustrating the sacredness and value of human life was a miserable bungle—and, therefore, he said that if they made these exhibitions private, which up to this time had been public, they would take away from the advocates of capital punishment the only strong reason they gave for the perpetuation of this law, and that was, the example which they said—most untruly and most unwisely—it afforded to the people who witnessed these executions. He would only say he was satisfied that what enlightened public opinion asked for, and would obtain before long, was, not the concealment, but the abolition of this punishment.

Mr. W. EWART said, he did not rise to offer any opposition to the Motion, but he thought it was a sort of self-condemnation of the supporters of capital punishment, when, after pleading the public example as a justification for executions, they now sought to withdraw from the public that example. There was hardly any subject on which so many vaccillations took place as on the subject of capital punishment. He was surprised that no provision was made in the Bill for the admission of the members of the press to witness the executions in case they should wish to do so. His hon. Friend had alluded to many countries where private executions took place; but had he observed the accounts received from countries where capital punishment does not exist at all? He would not find that in a single instance the country that had abolished capital punishment repented of it. His (Mr. W. Ewart's) feeling against capital punishment was as strong as ever; he believed the feeling against it was increasing every day, and must do so as long as Christianity and civilization proceeded in their course.

Mr. BONHAM-CARTER said, he thought his hon. Friend (Mr. Hibbert) had done well in submitting his Bill in a separate form to the House, for the questions with which it was incidentally connected were of a kind that might take a longer time to carry than the single question which was embodied in his Bill. He was gratified to find that the House was in favour of the measure, and that inquiry had brought out an overwhelming weight of evidence in support of it. He wished to protest against the term "private execution," because that was not contemplated by his hon. Friend. The desire was to remove from executions the exhibition of torture which had been long since abolished in connection with all other punishments in England. This sort of display should be for as few eyes as possible. They did not propose private executions, but that the executions should take place before a diminished number of persons in such a way as would produce a conviction on the public mind that the executions had actually taken place.

Motion *agreed to.*

Bill to provide for the carrying out of Capital Punishments within Prisons, *ordered* to be brought in by Mr. Hibbert, Mr. Bonham-Carter, Mr. Tollemache, and Mr. Mitford.

Bill *presented,* and read the first time. [Bill 54.]

SUPPLY.—REPORT.

Resolutions [March 5] *reported.*

Lord ELCHO said, that an hon. and gallant Friend opposite (Sir Charles Russell) in some observations he had made on the previous evening upon musketry instruction, had evidently not been accurately reported. His hon. and gallant Friend, he thought, had done great service in bringing the subject of musketry instruction before the notice of the House; and were it not that he (Lord Elcho) was a Volunteer, and military men might say that he was taking up a subject with which he had no concern, his own experience at Hythe would have induced him to call attention to the matter. Any person acquainted with the musketry instruction practised at Hythe, and given to our Volunteers, must feel that it was somewhat hard upon those who had to go through that course. He was told that it not only caused dislike, but that it affected the recruiting of the line. A Volunteer at Hythe was kept at practice there a fortnight; an officer used to go for twelve weeks; but he believed that that term was somewhat reduced. [Sir Charles Russell: To ten weeks.] For all practical purposes of making a man a good shot fourteen days at Hythe was all that was necessary. An intelligent sergeant sent to Hythe to become a musketry instructor could be taught in less than ten weeks—he had no doubt that fourteen days, or even less, would make such a man competent to give the practical instructions the men required. He was not at all saying that the Hythe

School of Musketry should not be retained, but that some modification of the present system of instruction was necessary. Modifications were necessary with respect to firing at distances. It was now laid down that the firing at 300 yards should be performed standing; beyond 300 yards, kneeling ; the exception being in favour of old officers and the cavalry. The former, from stiffness of the joints might not be able to kneel, and there was a good reason why the position of kneeling would be inconvenient to the cavalry. But the point to which he rose to refer more particularly was that his hon. and gallant Friend had been reported to have said on the authority of a young officer of the 95th that the rifle drill was complete nonsense, and that there was not a practical officer in the army who would not agree in that assertion. Now, he was quite certain that his hon. and gallant Friend had not said that, or could have wished the Committee to believe that there was not a practical officer in the army who would not adopt the sentiment. There was another point to which he should have wished to call the attention of his noble Friend the Secretary at War if he had been present, and that was the inconvenience to which the Volunteers were subjected by having to shoot at two descriptions of targets. In class firing they used the regulation target. Now, in the opinion of all Volunteers the form of target used was not the one best calculated to elicit skill in the use of the weapon. In prize firing they used quite another kind of target. The Secretary at War would confer a great boon on the Volunteers if he would institute one uniform target for class and prize firing.

SIR CHARLES RUSSELL: I am obliged to my noble Friend for calling attention to a slight inaccuracy in *The Times* newspaper report of the few observations I addressed to the Committee on musketry practice, and which did not occur in any other newspaper. I called the attention of the Secretary of State for War to a paragraph in the *Army and Navy Gazette*, which stated that a case of a young officer of the 95th had been brought before a medical commissioner, as he was labouring under intermittent mania, which first exhibited itself by his saying that the rifle drill was all d——d nonsense; and I said that, although officers of the army would not go any such length as that, they would decidedly sympathize with the man if he were placed in a lunatic asylum for having said so. Those were my words, and I am anxious that the impression should not be conveyed to the House, or to the gallant officers who conduct the schools of musketry at Hythe and Fleetwood, that I wished to express on my own behalf, or that of the army, that rifle practice is itself nonsense.

Resolutions *agreed to.*

PRINCE ALFRED'S ANNUITY *(re-committed)* BILL—[BILL 43.]—COMMITTEE.

(Mr. Dodson, Mr. Chancellor of the Exchequer, Sir George Grey.)

Bill *considered* in Committee.

MR. NEATE said, that the alteration which had been made for the purpose of making the annuity inalienable was much more important than it might at first seem to be. The House might declare the inalienability by a Bill ; but he doubted whether they had power, by leaving the discretion with the Crown, to dispense with an existing law. As a matter of policy and general law it might be desirable to make allowances to the Royal Family inalienable in the same way that the pay of an officer was considered inalienable, it being granted to maintain a particular position. His objection in this case was not so much to the principle as to the mode in which it was proposed to give effect to it. He did not think that a matter of this kind should be left to domestic arrangement between Her Majesty and the Prince.

THE CHANCELLOR OF THE EXCHEQUER agreed that the words which were introduced when the Bill was committed *pro formâ* were not devoid of importance; but they did not alter the intention of the Bill, nor he believed of the House, when it sanctioned the previous stages ; because the question whether the annuity was to be inalienable was raised on earlier occasions, and he had stated his belief that the Bill as it stood would have the effect of rendering the annuity inalienable. That was an answer given in good faith but with insufficient knowledge, and the effect of the clauses of the Bill, and his impression at the time, was that the grant to trustees would practically have that effect. On finding that that was not the case, his course was to introduce words into the Bill for the purpose of giving effect to what he believed to be a sound principle of policy, and so to fulfil an engagement with the House. He did not understand his hon.

Friend to dissent substantially from the policy of the enactment. Although, undoubtedly, contrary to the general practice and spirit of the law of England, as his hon. Friend was aware that these were cases of grants made to enable persons to sustain a public position where, with a view to the propriety of the case and the prevention of further demands, the character and inalienability was attached to those grants. So that the objection narrowed itself to this—that by the form of words adopted in the Bill the character of inalienability would, in the last resort, depend on the discretion of the Crown. That mode of proceeding was adopted as on the whole more deferential towards the Sovereign, and which, while manifesting the intention of Parliament, was quite sufficient to remove any invidious character which his hon. Friend thought might attach to it, if regarded as a purely domestic arrangement.

Mr. NEATE thanked the right hon. Gentleman for his very satisfactory explanation.

Bill *reported*, without Amendment; to be read the third time *To-morrow.*

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

On Motion of Mr. Chambers, Bill to render legal Marriage with a Deceased Wife's Sister, *ordered* to be brought in by Mr. Chambers, Mr. Hankey, and Mr. Morley.

Bill *presented*, and read the first time. [Bill 50.]

LEGITIMACY DECLARATION, &c., BILL.

On Motion of Mr. Chambers, Bill to explain the Act of the twentieth and twenty-first Victoria, chapter eighty-five, and the Legitimacy Declaration Act, 1858, *ordered* to be brought in by Mr. Chambers and Mr. Edward Craufurd.

Bill *presented*, and read the first time. [Bill 51.]

SUPERANNUATIONS (OFFICERS METROPOLITAN VESTRIES AND DISTRICT BOARDS) BILL.

On Motion of Mr. Harvey Lewis, Bill to provide for Superannuation Allowances to Officers of Vestries and District Boards within the area of the Metropolis Local Management Act, *ordered* to be brought in by Mr. Harvey Lewis and Mr. Chambers.

Bill *presented*, and read the first time. [Bill 52.]

SHERIFF COURT HOUSES (SCOTLAND) ACT (1860) AMENDMENT BILL.

On Motion of The Lord Advocate, Bill to amend certain provisions of "The Sheriff Court Houses (Scotland) Act, 1860," *ordered* to be brought in by The Lord Advocate and Mr. Adam.

MUTINY BILL.

On Motion of Mr. Dodson, Bill for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, *ordered* to be brought in by Mr. Dodson, The Marquess of Hartington, and The Judge Advocate.

Bill *presented*, and read the first time.

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, March 7, 1866.

MINUTES.]—Select Committee—On Metropolitan Local Government, &c.; Theatrical Licences and Regulations; Mines, *nominated.*

Public Bills—*Second Reading*—Church Rates Abolition [11]; Mutiny.*

Third Reading--Consolidated Fund (£1,137,772)*; Prince Alfred's Annuity * [48].

CHURCH RATES ABOLITION BILL.

(*Mr. Hardcastle, Mr. Dillwyn, Mr. Baines.*)

[BILL 11.] SECOND READING.

Order for Second Reading read.

Mr. HARDCASTLE: I wish to express to the House in the strongest manner in which I am able my sense of the great responsibility which I incur in attempting to deal with this question, and I trust the House will grant to me some portion of that indulgence which they are usually willing to grant to persons who do not often presume to interfere in their debates—an indulgence of which I assure the House I feel greatly in need. This question has been so often debated in previous Parliaments, it has been a subject of so much interest to the country at large, that I think it cannot be expected, after thirty years of discussion, that I should be able to adduce many facts or arguments having the charm of novelty. At the same time, as this is the first Session of a new Parliament, and as there are many hon. Gentlemen present who have not had a seat in this House before, I think I should hardly be doing justice to those Gentlemen if I did not enter at rather greater length into the general merits of the question than I should otherwise consider it necessary to do. It is, I believe, now more than thirty years since the question was first debated in this House. Soon after the abolition of a similar grievance in Ireland called church cess the English Nonconformists naturally hoped that something might be done for them of a similar nature, and I think it was in the year 1834 that the first discussion took place in this House on this question. I am not going to weary the House with a detail of all the numerous debates which have taken place upon it from that time to the present, but I may remind those hon. Members who have not taken the trouble to ascertain it for themselves, that there have been thirty-six different attempts to settle the question between 1834 and the present time. Those attempts have issued in twenty divisions; and to show the amount of public interest taken in the question I may state that the smallest number of Members who have been present at any of those divisions was 395, while on one occasion 577 Members recorded their votes. And I think no one will contradict me when I say that neither at the present time nor at any time past has there been any want of interest on the subject, particularly on the hustings. I think we shall all agree that there is no question on which we have been, on both sides of the House, so resolutely and pertinaciously catechized as on the question of church rates. At the last general election the public interest was quite as great as on previous occasions. I will not enter into details of the various proposals that have been submitted for the settlement of this question. Suffice it to say there have been proposals to settle this question by putting the charge on the land tax, by putting it on the Consolidated Fund, by having it paid out of the poor rate, by its being made a charge on the land in the parish. Besides these, there have been proposals for voluntary commutation and for exemption, to exempt Dissenters as such, to exempt all persons objecting to pay, to exempt those who alleged conscientious scruples, and other exemptions. Then, last of all, there has been a proposal which has been repeated and carried through this House over and over again for the entire abolition of the compulsory church rate, and which I trust will make one more step to day. I think I may say that it has been more and more felt in the country at large, and also in this House, whatever it may be necessary to do besides, that the abolition of the compulsory nature of the rate is the very thing that we shall have to do on this question. That principle—the abolition of compulsory church rates—is the principle which my Bill includes. The proposals which have been made at different times for dealing with this question seem to me to resolve themselves into three great classes — commutation, exemption, and entire abolition. As to the proposals for commutation, they have been either in respect of compulsory or voluntary commutation. So far as the compulsory commutation of church rates is concerned, I think that none of those proposals have been regarded, at all events of late years, with much favour in this House or the country, and I think it is hardly worth while to take up the time of the House with discussing them. The proposal for voluntary commutation has this defect, that it does not meet the evil. We say that the payment of a compulsory church rate is the evil to be dealt with. But the mere diminution of the charge by a rent charge derived from the property in each parish does not remedy the evil, because the evil does not consist in the amount of the charge, but in the fact that the charge is compulsory; and I think this is a fatal objection to any proposal for voluntary commutation. Then with regard to the proposals for exemption, it seems to me that they are all of them liable to one objection, that the Dissenters who are the weaker party in a parish are to sign a declaration. It must be remembered that in those parishes where the anti-church rate party are the majority it is not necessary for them to make any declaration whatever, because all they have to do is to attend the vestry and oppose the church rate, and it is only in the cases where the anti-church rate party are in a minority that they would be compelled to sign a declaration which would be likely to bring them into collision with their more powerful neighbours. Now if the House will consider the question, I think they will see that all these schemes of exemption have reference, in practice, not to town parishes, but to small country parishes, where the anti-church rate party are in a minority. The large town parishes, where the Dissenters and those who object to the rates are the majority, have mostly settled the matter for themselves; and in the small country parishes just see how it would act. On the one side you have the supporters of the rate, the majority of the parishioners, including the squire, the clergy of the parish, and other residents, who in the County Directory are called the gentry. On the other side you have what, on the same authority, are called traders; you have the small farmers, the small village shopkeepers, and other persons in a lower grade of society. It is from this second class that the opponents of the church rate are mostly drawn. Then what you do by any scheme of exemption is to compel this dependent class to do an act which is sure to be most unpopular with those on whom they are dependent for their living. But of all schemes for exemption it appears to me that the scheme which I believe will be introduced by the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) is the most objectionable. He proposes that a statement of a conscientious objection to the payment should be a reason for an exemption from the payment of church rates. Well, now, first of all I object to the proposal, because it only relieves a very small number of those who are likely to object to church rates. I may object to church rates, though I am a Churchman; and therefore could not say I objected on conscientious grounds. I may say it is unfair that I should be compelled to contribute to the repair of the fabric or the maintenance of a service carried on in a building which from circumstances I am unable to make any use of. It was my own case to live five years in a parish in which I paid church rates, and in the parish church of that parish I never had the most distant opportunity of obtaining a place, simply because the church was full and there were no vacancies during the time that I resided there. The hon. Member's scheme would not relieve me. Then I might object to certain items in the rate, or I might object to the amount of the rate, or I might object to pay because I saw it was a pressure on the consciences of some of my fellow parishioners that they should be made to pay. In any of those cases I should not be relieved. The only man who would be relieved would be the man who made a confession of a conscientious scruple. Now I think that this confession of a conscientious scruple would have a great tendency to foster religious hypocrisy, and moreover it would have a great tendency to induce a profession of dissent. I do not know whether the hon. Member wishes to thin the ranks of the Church and strengthen the ranks of Dissenters, but I am sure that any scheme of this nature would have that effect. I come now to the proposal of the Bill which is to be read a second time this day—the proposal for the abolition of compulsory church rates. I think it possible some hon. Members may do me the honour to say that my observations have induced them to consider that my objections to the plans for exemption and commutation have a certain weight, and yet they may feel disinclined to support a measure for the total abolition of the rate. If this be so, I think it will be on one of two grounds. They will object to total abolition on a theoretical ground, believing that it would weaken the connection which they desire not to see weakened between Church and State; or they will object to it on the practical ground, that without this compulsory contribution it will be impossible to repair the fabric, and carry on the service of a country church in small parishes. I deny that the abolition of church rates would weaken the connection between Church and State. Has the abolition of church cess in Ireland weakened the Irish Church? The Irish Church exists at the present moment; some people are perhaps surprised that it does. The church cess had been abolished thirty years. I may ask what would have been the chance, if it had not been abolished, of the state of the Irish Church being what it now is? The commutation of tithes has not weakened the English Church; and, as a general principle, the reform of an institution does not weaken that institution, but rather strengthens it. Seeing that the abolition of church rates is in fact a reform, I think there is no fear of the union between Church and State being in any way disturbed by it. I may be allowed to observe that there is a great distinction between church rates and any other payment with regard to the endowments of the Church of England. The church rate is in the nature of a tax, whereas tithe and all other Church endowments are in the nature of rent. Then there is another observation which I wish to make, and it is this. The granting of a church rate is the only internal part of the Church organization in which a Dissenter can interfere. At the present moment the Nonconformists, if they are the majority of a parish, can paralyse the action of the Church. Now I should like to know how the change which we propose will do anything except strengthen the action of the Church. It is clearly understood by hon. Gentlemen opposite—I certainly understand it myself—that there is no desire whatever on the part of Dissenters to interfere in any way whatever in the application of any voluntary rate which might be raised for the purpose of the Church. Well, then, I come to the practical objection to the abolition of the rate. We may be told that without this quarter of a million it will be impossible to repair the fabric or carry on the service of country churches. Now, let me just ask hon. Members to consider for one moment what is done among Dissenters. Of course, we all know that the Church of England belongs to the richer classes, and that the Dissenters are generally to be found in the lower middle classes and the lower classes. In 1722 there were only 1,160 Dissenting chapels in England and Wales; in 1850 there were nearly 20,000. All these chapels have been built, and throughout that time have all been kept in repair by voluntary effort, and of course the building of these chapels involved the building of many school-houses. I believe that I shall not be wrong in saying that for the purpose, not of building, but of repairing chapels, for the payment of the salaries of the ministers, for the payment of the expenses of public worship, and for contributions to religious societies connected with those chapels, not less than £3,000,000 annually are expended by Dissenters. I will not therefore waste the time of the House in asking hon. Members if they think there would be any difficulty in raising a quarter of a million by Churchmen for the repair of the fabrics and the carrying on the service of the Church of England. I may be told that I have not shown the evils of the present system. Of course, unless the evils of the present system are manifest, there can be no reason why we should alter them. Perhaps it would be enough for me to ask, if there are no evils in the present system, what have people been debating about within and without the walls of this House for the last quarter of a century? I would say first there is the evil of the uncertainty of the present law. Perhaps that is an evil hon. Gentlemen opposite feel more than we do, but still it is an evil that any law should be uncertain. Again, I think it an infinitely greater evil that so long as a compulsory church rate exists there will be a root of bitterness in every parish in the kingdom ready to spring up on the slightest provocation. Then, Sir, I say, and I do so most heartily, that church rate seizures are great evils. I am not going to trouble the House with long statistical details, but there are one or two cases which I should like to bring before the notice of the House. Here is a case which occurred about two years ago in the parish of Broseley. I do not know whether the supporters of the Church of England, good Churchmen, think it any advantage to have a placard like this posted about the walls of a parish—

> "Cruel Distraint for Church Rates by the Broseley Churchwardens.—On Thursday last a distraint was made on the goods of James Clark, a poor labouring man, with a wife and seven children, a bed-ridden mother, 83 years of age, and an imbecile sister. The amount of church rate was 1*s.* 3½*d.*, for which, with the costs, the Churchwardens have caused to be taken a clock, an oak chest, and an oak cupboard, two tables, seven chairs, a tea-tray, a looking-glass, a smoothing iron, and a straw mattrass, the taking of which caused some of the children to lie on the floor on the following night."

I say the possibility of such occurrences would do more in a year to weaken the hold which the Church of England has on the affections of the people than would the existence of ten Liberation Societies in a century. The case I have mentioned is not one of very rare occurrence. Here is another case, which I mention because it illustrates another view of the hardship of church rates. It is a case of excessive distress, in which the amount distrained for is very small in comparison with the amount of property seized. It occurred in the Isle of Thanet and in the parish of St. Peter's; the amount distrained for on three separate ratepayers was 18*s.* 1*d.*, and the value of the property taken for that sum and costs was £26 16*s.*; being some thirty times the amount of the rate. I will not trouble the House with more cases of this kind which have occurred, some of which are of a ludicrous character, such as seizing the pig of a defaulter just before Christmas, which bring ridicule and odium, as well as great discredit, on the Church. But there is one more case I must refer to, because there is something novel in it. I mean the case which is generally known as "the ten men in limbo." This case occurred at Staplehurst. Mr. Henry Hoare, the parish Churchwarden, discovered a new remedy for non-payment of church rates. Instead of taking the usual course, he summoned one of ten men who had refused to pay the rate before the magistrates at Cranbrook, under a criminal charge, the charge being that of disobeying the order of a magistrate. It so happened that Captain Oakes, who, I suppose, is Chairman of the Cranbrook Petty Sessions, declined to commit the postmaster of Staplehurst, who was the victim selected, and who, I may incidentally say, would have been ruined if he had been sent to prison. So the attempt failed, and "the ten men in limbo" were never in "limbo" at all. Now this is a case that might happen in any parish. This Staplehurst rinderpest might be a very contagious disorder, and supposing all the Churchwardens of England were seized with this disorder, we should have to ask the hon. Member for Northampton (Mr. Hunt) to come forward with another Bill to stamp out the disease. I have pointed out the objections which exist to the continuation of church rates, and I have endeavoured to show that no form of exemption will meet the evil of which we complain. I believe that nothing will meet the evil except the total abolition of the compulsory rate. I believe that the compulsory church rate is an anomaly and injurious to the best interests of the Church, and on these grounds I move the second reading of this Bill.

Mr. GILPIN said, that he hoped that in the course of the few remarks which he should address to the House he should say nothing calculated to cause a hostile feeling between the opponents and the supporters of the measure. It was fitting that on that, as on former occasions, the Motion for the abolition of church rates should be brought forward by a Member of the Church of England, and his hon. Friend (Mr. Hardcastle) had worthily performed the duty which was formerly discharged by Sir John Trelawny. It was with great gratification he saw that the Member who was to oppose the Bill was the right hon. Member for Cambridge University (Mr. Walpole), a gentleman who had won for himself the esteem of every man in the House by his honourable and upright conduct. His character was such that any man would be glad to meet him as an opponent, feeling assured that he would meet the subject with consideration and fairness. They had nothing to complain of on the last occasion, and the hon. Member opposite (Mr. Gathorne Hardy) who led the Opposition to the Bill made the best of what he must be allowed to call a bad cause. He did not intend to go over the ground already occupied by the hon. Member who moved the second reading of the Bill. He desired to allude to what had been the working of "Christian willinghood," and he would only ask what must be the opinion held by other religionists of a Church whose members either could not or would not perform for themselves the duties performed for themselves by the members of all other religious communities. In the course of a former debate he had stated that the furniture in a meeting house belonging to the Society of Friends had been seized for church rates. An hon. Member then said that he must have alluded to some past occurrence, that such a thing would not be done at the present time. Now, in the year 1865 a meeting house of the Society of Friends in London was entered, under a warrant for church rates, and thirty-six chairs seized. On a former occasion one table and twenty-six chairs had been seized. In the Isle of Thanet, during the present year, the goods of James Creasy were seized for a church rate of 4*s.* 3*d.* The costs incurred were the following:—

> "Magistrates' clerk's costs, 16*s.* 1*d.*; levying, 3*s.*; possession seven days, 17*s.* 6*d.*; removing goods to store and from store to place of sale, 3*s.*; broker's charges, 3*s.* 10*d.*; appraisement stamp, drawing same, &c., 2*s.* 6*d.*; constable swearing brokers, 1*s.*; drawing notices and attendance, offering goods at broker's valuation, 2*s.* 6*d.*; auctioneer's expenses of sale, advertising, &c., 10*s.*; auctioneer's commission, 4*s.*"

The cash repaid was 11*s.* 4*d.*, making a total taken of £3 19*s.* In another case in the Isle of Thanet the amount of the rate was 3*s.* 6*d.*, and the total amount distrained was £4 6*s.* 6*d.*, of which 19*s.* 4*d.* was returned. That very day, on entering the House, a paper had been put into his hands stating that a labourer of seventy-five had been summoned before the magistrates in the country for non-payment of a rate of 1*d.* If he could show that voluntary effort had produced a certain result amongst Dissenters, it might be assumed that there was equal ability within the Church to pay for her ministrations. It appeared from the Census of 1851 that there were 3,500,000 persons attending Nonconformist chapels, and the number might be taken now as at least 4,000,000. A very careful examination showed that, taking town and country congregations together, the average contribution towards the support of religious worship in Nonconformist chapels was 10*s.* per annum for each occupied sitting. That gave an aggregate of £2,000,000 raised by these chapels for the celebration of Divine worship alone. But there were religious and educational institutions which the Nonconformists supported with a liberality equal to that of their Church brethren. He would read a list of some of these institutions, and their incomes in 1861—

> "Congregational Home Missionary Society, £6,000; Colonial Missionary Society, £6,402; Baptist Home Missionary Society, £4,000; General Baptist Mission, £2,689; Baptist Irish So-

ciety, £2,137; Bible Translation Society, £1,815; Particular Baptist Fund, £2,604; Baptist Missionary Society, £33,000; Moravian Missionary Society, £13,000; London Missionary Society, £85,500; Wesleyan Missionary Society, £140,000; Primitive Methodist Missionary Society, £8,673."

The aggregate amount raised by these twelve institutions was £305,000. The Nonconformists supported equally with their Church brethren the more catholic societies, such as the Bible Society and the City Missionary Society, but the institutions to which these details referred were supported by Dissenters as Dissenters. They supported Sunday schools as well as churches. From a Return made to the House of Commons in 1861 it appeared that the average income from each Baptist Sunday school was £7 19*s*. 3*d*., and from each Congregational Sunday school £10 12*s*. 10*d*. In 1851 there were 12,710 Sunday schools unconnected with the Established Church. If the average income of these schools equalled only the smaller of these sums there was raised in that year for the support of Sunday schools alone more than £100,000. Taking the increase of schools into consideration, probably not less than £120,000 was now raised for this purpose—a sum equal to half the amount raised through the kingdom for church rates. Any allusion to offerings made for Christian purposes would be imperfect if he did not allude to the glorious example of the Free Church of Scotland, when something like 500 ministers voluntarily gave up their means of livelihood, relying upon the free-will offerings of a loving and devoted people. The result showed that their reliance was not misplaced. In the year 1843 no fewer than 478 ministers and professors of the Established Church of Scotland left that Church because they would not submit to the terms which were imposed upon them. In the sixteen years following—namely, from 1843 to 1859, they built the following:—

"1. 800 churches, at an average cost of £918 6*s*., total £734,641 1*s*. 2*d*.; 565 manses, at an average cost of £600, total £339,000; 620 schools, at an average cost of £335, total £207,700. 2. Edinburgh College, total cost, £38,879 5*s*. 1*d*.; Glasgow College, total cost, £11,220; Aberdeen College, total cost, £2,360. 3. Edinburgh and Glasgow Normal Schools, £22,564 9*s*. 6*d*. 4. Assembly Hall and site, Edinburgh, £8,500; Church offices in Mount Place, £7,500. 5. Churches, manses, and schools erected at the expense of individuals, not appearing in the public accounts, £50,000. Aggregate cost of buildings, £1,422,364 15*s*. 9*d*."

In 1843 the number of ministers who seceded was 478; in 1861 the number was 844. In 1843 the Free Church began with literally no revenues or resources of any kind; its income for the year ending May, 1861, was as follows:—

"Local building fund, £37,034 3*s*. 8*d*.; congregational objects, £100,197 9*s*. 9½*d*.; sustentation fund, £113,462 17*s*. 7*d*.; home missions, £6,717 4*s*. 5*d*.; education, £16,723 11*s*. 4*d*.; college, £3,773 6*s*. 4*d*.; foreign missions, £18,035 10*s*. 3*d*.; colonial missions, £3,912 14*s*. 7*d*.; Jewish mission, £4,580 12*s*. 6*d*.; building fund, £2,190 4*s*. 8*d*.; Continental fund, £3,060 1*s*. 1*d*.; re-disruption ministers, £3,493 19*s*. 3*d*.; total, £329,941 2*s*. 4½*d*."

These were the proofs of what voluntary effort and Christian willinghood could accomplish, where men gave in support of what they believed to be the truth. Could not Churchmen do for their Church what the Dissenters, without difficulty, did for their churches? They were not without proof of what Churchmen could do and had done. The Church, when thrown upon its voluntary resources, had done as much as any other sect, and it was only because the Church admitted the enervating, torpedo touch of State control and aid and enforced maintenance, that it appeared in the humiliating position of applying to the House to maintain the imposition of so miserable and obnoxious an impost. To show the readiness of Churchmen to support voluntary effort he would refer to a speech made by the Bishop of Lichfield, who presided at a meeting of the Propagation Society just after the withdrawal of the Parliamentary grant. The Bishop of Lichfield at that meeting acknowledged that the society had lost nothing by the withdrawal of the Parliamentary grant. He said—

"When first he became connected with the society it had a Parliamentary grant of £15,000, which was opposed year after year by a great economist—no longer among us—but a man of whom all should speak with respect, and it was withdrawn. At the time that was regarded as a heavy blow to the society, and so it was, as the withdrawal of Parliamentary confidence; and as the connection between Church and State was one of the best and holiest which could exist, the withdrawal was a loss in that sense; but, as a pecuniary loss, it was made up by the voluntary offerings all over the country."

After the withdrawal of the grant a Queen's letter was obtained, and he would now read a brief extract from the speech of the association secretary at Sheffield, in 1860—

"For many years they had the 'Queen's Letter,' which collected about £30,000 every three years.

It had pleased the Minister of the Crown to withdraw that Queen's letter, and it became likely that the society would fail for want of funds. He thought they had reason to thank God that the Queen's letter had been withdrawn, and that they had got free trade in the matter. Last year they got £70,000, and he hoped that next year they would not get less than £100,000."

If he were an enemy of the Church of England he should desire nothing better than that this discussion should be revived year after year, and Session after Session; that one party should be banded against the other and make a party fight of it until the "drum ecclesiastic" was beaten in every pulpit in the country, and the question brought up at every parish vestry. To the Church of England he was no enemy. To her supremacy he was. To her efficiency, her ministers, her institutions, so far as they did not interfere with Christian equality, he was no enemy. On a former occasion a noble Lord, whom he did not now see in his place, said of the supporters of abolition that they "would not be satisfied with toleration; they wanted equality." The noble Lord had stated the truth. They neither wanted nor would accept toleration, and the difference between them was that the opponents of this Bill claimed supremacy, and the Dissenters demanded equality. Freemen should take nothing less, freemen should ask nothing more. If the members of the Church continued to depend upon the forced, unwilling, and begrudged contributions of those who differed from her, her course of usefulness would be a halting course, but if she relied on the love, prompted by the exertions of a faithful ministry in a faithful Church, her course would be blessing and blessed. So long as the Church depended upon this forced maintenance, there would be the fly in the pot of ointment, the worm at the root of the gourd; but if she relied on Christian willinghood she would find abundantly sufficient for herself, and there would be abundantly sufficient for those who differed from her.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hardcastle.*)

Mr. WALPOLE: Sir, there are one or two points in the speeches of the hon. Gentlemen who have just spoken which seem to require some remark before I offer any observations on the Bill itself. One circumstance is that there was a peculiar omission from the beginning to the end of the speech of my hon. Friend who first addressed the House (Mr. Hardcastle)—an omission of all allusion to the agitation and the causes on which that agitation has proceeded—namely, the agitation for the abolition of church rates. The other circumstance for which the speech of my hon. Friend was very remarkable is the use throughout of a particular adjective which is not to be found in the Bill itself. From first to last my hon. Friend was careful to say that he proposed to this House the abolition of "compulsory" church rates. In the Bill itself there is no allusion to the word "compulsory," but what was passing in the mind of my hon. Friend, who carefully weighed his words, seemed to indicate that he has some misgiving about his own Bill, and that there ought to be some provision in it as a substitute for church rates before they are compulsorily abolished. I notice that, because I do not wish Members on this side of the House to be exposed to a taunt once thrown out to us from the Treasury Bench, that to measures of this description we are always offering an indiscriminate resistance. My answer is that there are occasions when, from the very nature of the propositions set before us, indiscriminate resistance is a necessity and a duty. When, therefore, I have this Bill before me, which asks the House to agree to the absolute and unqualified abolition of church rates, I must deal with it as I find it, and I cannot deal with the Bill according to the sentiment which appears to be dwelling in the mind of the hon. Member who proposes it, and which, if it were dwelling in his mind so strongly as it appeared to be, we ought to have had submitted, and specifically, to the House. I am the more anxious to make this remark in consequence of the course that has been observed in measures of this description. My hon. Friend is quite right in saying that for twenty-five years—or, as I believe I may call it, thirty-five years—this question of church rates has taken every variety of phase. You had the proposition, originally made, I think, by Lord Althorp, then the leader of this House, to substitute for church rates a charge upon the land. You had a proposition, made by another Minister of the Crown, to substitute a charge upon the funds in the hands of the Ecclesiastical Commissioners. We have had an intimation from no less an authority than the late Sir Robert Peel that the charge might be thrown upon the Consolidated Fund; but that Minister remained in office not less than five years and made no attempt to settle the question, when he certainly could have done so. You have had other propositions for substituting pew-rents, and for compulsory and voluntary contributions. When all these miserably failed, in the last Session of Parliament, the question being agitated again, and it being proposed that Parliament should come to a deliberate decision, notwithstanding the abolition of church rates was supported by the noble Lord then the First Minister of the Crown (Viscount Palmerston), and also by Lord Russell, who had previously opposed it, the House came to the deliberate conclusion that some just and expedient mode should be discovered to provide a substitute for these church rates before they were abolished. As that is a most important circumstance, I may be forgiven for reminding the House of what then took place. On the 14th of May, 1862, the second reading of the Church Rates Abolition Bill came on, and an Amendment was moved by Mr. Sotheron Estcourt, which I will read to the House—

> "That it is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate among themselves the sums required for the repair of their Church, until some other provision shall have been made by Parliament for the discharge of those obligations to which, by custom or statute, the Churchwardens, on the part of the parish, are liable."—[3 *Hansard*, clxvi. 1690.]

That Resolution was carried by a majority of seventeen. What I wish to ask the present Parliament is, whether it is going to reverse the Resolution arrived at by the last Parliament ? I wish to ask the present Parliament, on the first occasion which has occurred for doing so, whether it is not reasonable, according to the terms of that Resolution, that this ancient and customary right, which has existed from time immemorial, should not be absolutely taken away until some other substitute has been found by means of which the obligation resting on persons in respect of their property to support and maintain the fabric of the Church and to provide for the decent celebration of Divine worship, shall be discharged. This is not, as the hon. Mover and Seconder of this Motion would make it out to be, a mere question of voluntary effort. These charges had their origin in the voluntary offerings made by the people of this country long, and long ago, by means of which they charged their property for the express purposes to which the rates are now applied, and every owner of property around me, whether he hold his property by purchase or by inheritance, is subject to that charge for the benefit of the Church. I admit that the rate is liable to be controlled by the parochial vestry, but the charge has been levied according to the intentions of the ancestors of those who now possess the property itself. The question then is, whether it is just and expedient to abolish church rates without some equivalent, merely for the purpose of putting the amount of that charge into the pockets of the landed proprietors ? Is it just or expedient to deprive the people of this country of that to which they have such an ancient right—the maintenance of their churches and the celebration of Divine and Christian worship in every parish and hamlet in the kingdom ? That is the question we have to decide. My hon. Friend who proposed the Bill, and the hon. Gentleman who seconded it, alluded to some of the objections which they entertain, and which they tell us are entertained, to the continued imposition of church rates. My hon. Friend (Mr. Hardcastle) stated that the law was uncertain, that the mode of levying the assessment might be improved, and that there were inequalities in the allocation of the rate. Let us, however, draw a distinction between those objections which are capable of remedy and those which are not. All the objections to which I have just referred are capable of a remedy. If the law is uncertain, let us make it certain. If it can be shown that the law is oppressively exercised, no man in this House would justify the oppression. But, as far as my experience goes, I know nothing of the kind. There may be exceptions, but the general mode in which this law is put in execution is not oppressive to the people of this country. I entirely agree that these rates ought to be reduced to the minimum of what is necessary for the repair of the fabric and the maintenance of Divine worship. I agree that it is a hardship—I think it is the greatest hardship of all—that on the creation of new districts you subject those new districts to a double charge. If you meddle with this law, let these things be remedied. But these are not the only objections or the real objections that are urged on the present occasion. I may class the objections which are raised to this law under two heads—namely, the religious objection and the political objection. Now, I quite agree that the religious scruples entertained by some persons to the payment of this rate have some foundation—perhaps I might say some good foundation to rest upon. I cannot forget that when this rate was originally imposed it was not a charge, like the tithe, actually arising upon land, but it was a charge arising on persons in respect of their property, and that at that time all those persons were of one mind as to the necessity and value of a national religion. Therefore, the liability imposed upon them was commensurate with the benefit which they derived from it. As long as that was the case, there was and there could be no hardship in every person contributing to the national religion. But I am quite willing to admit that when a great change took place in the circumstances of the country in this respect—when toleration encouraged, and the law sanctioned, all those diversities of religious worship which the consciences of different men preferred, there was and there is a kind of hardship in calling upon them to contribute to one form of worship when they do not derive any benefit from it. But what has occurred in regard to that religious objection? For the first twenty or twenty-five years that was the main argument used for getting rid of church rates. But when the offer was made of relieving or exempting those who did not attend the worship of the Established Church, we were told at once, I hope not scornfully, but we were told at once, that that was an insult to the Nonconformists. But when that offer was fairly made to relieve those persons from all difficulty upon the ground of religious scruple, and when they would not accept that relaxation of the law, it is a little too much to say that their religious scruples were not fairly respected. If, therefore, the argument rested upon the religious objection, and upon that only, I should say that a complete offer was made to get rid of that objection, and consequently that we need not now have a Bill of this description. But, Sir, the religious objection is not the only one. There is also a political objection urged, which was first taken, as far as I am able to judge, in the year 1851. A Committee was then appointed to inquire into church rates and the mode of levying and collecting them. Before that Committee Mr. Courtauld was examined. He was, I think, a Unitarian, and an inhabitant of a parish of which we have heard a great deal in connection with this subject—namely, Braintree. He was regarded at the time as, and was, I believe, the chief leader in the opposition to church rates. He was examined twice before that Committee, and towards the close of his first examination he said that the church rate question was part of a much larger and far more important question—namely, the connection between Church and State, and he added that no mere settlement of the church rate question would be satisfactory. I think his words were to the effect that church rates were looked upon as the best field of controversy for carrying on an antagonism against the Established Church. Sir Charles Douglas, himself an advocate of the abolition of church rates, asked Mr. Courtauld this distinct question—

> "From the general tenour of your observations, am I correct in stating that your object is to give power to the majority; that it would satisfy you if the majority of a meeting had the power secured to them by law—is that all that you would desire?"

The witness replied—

> "I should be satisfied with that pretty well—far better satisfied than with any compromise. But then I would wish to be clearly understood that, while I should regard with complacency such a condition of the law, it would be because I feel that the great antagonism of Dissenters is better fought in church rate controversies; they afford a better and more advantageous mode of exciting popular attention to the subject than any other."

Thus, we have it intimated by Mr. Courtauld in 1851 that by means of this question the first parallel, if I may so call it, was to be drawn with a view to making hostile attacks upon the Established Church. In 1859 a Committee of the House of Lords sat on this subject, and before it a gentleman of great ability—as I am told, for I have not the honour of his personal acquaintance, but his evidence shows both ability and sincerity—was examined as a chief member of the Liberation Society. I allude to the hon. Member for Nottingham (Mr. Morley). I should be sorry to misrepresent a statement made by any person, whether present or absent, but I think it is an advantage to have that hon. Gentleman present at this debate. If I may summarize the hon. Member for Nottingham's evidence, he said that the Liberation Society objected to all compulsory provisions with reference to Church or religious matters, that no exemption of Dissenters could satisfy them, and that if that exemption were offered he would prefer—(I here quote his own words)—that "the question should remain as it is." I mention this for another reason—namely, because my hon. Friend in his opening address to us to-day said he did not object to Churchmen taxing each other for the benefit of the Church. But is that the opinion of the Liberation Society? Is that the opinion of the hon. Member for Nottingham? Is that the opinion of the large muster which I see in this House who take the same view as the Liberation Society? In his examination before the Lords' Committee of 1859 the hon. Member for Nottingham was asked (Question 843)—

> "Supposing Parliament were to pass a law which exempted Dissenters from the payment of church rates, and which gave Churchmen only the power of rating themselves, would the persons whom you represent feel it to be their duty to endeavour again to obtain the repeal of that law?"

The answer was—

> "Certainly. I doubt very much the power of the House of Commons. I mean by that, that that kind of law would excite an amount of opposition which would occasion some difficulty. In other words, the Dissenters would rather that the question should remain as it is than that it should so be dealt with."

When that answer was so given it really became almost hopeless to devise any scheme by which Churchmen who wished an amicable settlement of the question should be enforced, while the Dissenters were exempt, still to continue to pay church rates, and for that purpose so be enabled to tax themselves. Nay, more, it indicated that the religious objection was no longer insisted upon, but that the political objection had taken its place. The political objection was commented upon on that occasion by the hon. Member for Nottingham; but perhaps it was stated more strongly, and I will add, more clearly by Mr. Foster, the chairman of the Liberation Society. Let us have no mistake upon this matter. Is this, or is it not, the view of those who are seeking the abolition of church rates, or do they wish for a fair and amicable settlement of this question? If I recollect rightly, Mr. Foster said before the Lords' Committee that the Liberation Society was a body which thought that all property held in trust, either by the United Church of England and Ireland or by the Presbyterian Church in Scotland, should be appropriated to secular purposes. That was an answer given by him to a question put by the Bishop of London. But not only did Mr. Foster, when he came to deal with the question of church rates, say, like the hon. Member for Nottingham, that no exemption would satisfy him, but he added—I give the effect of his words—that that would not go to the root of the matter; and, in fact, he further stated that there would be no peace between the Church and the Dissenters as long as the Established Church existed. That I may not misrepresent Mr. Foster, I will take leave to quote from his evidence before the Lords' Committee. The following questions, 1691, 1696, and 1697, were put to him:—

> "I think the Committee understand that you give it quite as your impression that if the church rate question were settled to-morrow, it would not tend to produce what I may call peace between the Established Church and the body of Evangelical Dissenters?"

His answer was—

> "It could not be considered as settling the question, in which we feel that we have an interest."

He was then asked—

> "You think that any idea of collision between the two parties would subside by a settlement of the church rate question is a short-sighted view?"

He replied—

> "Yes, I think that the question at issue is a principle which must involve much more than that."

The next question put to him was—

> "And as long as the Established Church exists there will be the same point of difference as there is now—it is a mere question of detail?"

He answered—

> "That is my judgment."

The answers thus given by the members of the Liberation Society did make the settlement of this question almost hopeless; and it is upon that ground, and with that view, that I hold the last Parliament came to the conclusion that it would not be just or expedient to settle this question without providing some substitute for church rates before taking them away. If I am right in these inferences, I ask the House with the utmost seriousness and earnestness to consider how far we shall be justified in casting away all that the far-seeing wisdom, all that the far-reaching benevolence and charity of those who went before us have done for the benefit of the religion of this country and the good of the community who need the ministrations of the Church without substituting some provision in lieu thereof. Shall we throw it all away for nothing? For the answers which I have quoted do not point merely to church rates, but to all the revenues and resources of the

Church which have been voluntarily given—which have been laid, I may say, by our pious forefathers upon her altar for the benefit of the people. But perhaps my hon. Friend who moved the second reading of this Bill would tell me that he is not mixed up with the Liberation Society or its schemes. I dare say he would tell me that he does not agree with its opinions. Whether he does or does not I do not pretend to say, but I will assume that he does not, and then I ask him whether he does not make himself a party to that Society, or at least to its schemes, when he musters his forces and arrays his ranks as I now see them mustered and arrayed before me to get rid of church rates on the only ground on which the active opponents of the Church oppose them? But my hon. Friend says, "Look at the parishes in which these church rates are already abolished, and look at the bickerings and the strife that take place where they are retained. Have you no confidence in your own Church; have you no confidence in the voluntary efforts of her own adherents for the promotion of her interests without requiring a compulsory rate to support it?" Sir, I tell my hon. Friend that I have as much confidence as he has in the voluntary efforts of the members of the Church, and I think I shall be able to convince him that, unless he will find proper remedies for those inconveniencies of the law which now exist, the present Bill for the total abolition of church rates ought not, even upon his own showing, to be passed. My hon. Friend has not gone into the statistics of the case, but I should like to mention to the House just a few of them. In a Return which was laid before Parliament in 1859 by command of the Queen there was a statement relating to certain other Returns that were also laid before this House in the Sessions of 1852 and 1856. From the Return presented in 1852 of the number of rates required, made, or refused between the Easter of 1833 and the Easter of 1851, it appears that out of the 10,047 parishes from which Returns were sent in there were only 216 in which church rates were actually refused during that whole period of eighteen years. In the Session of 1856 a similar Return was made of all the parishes in which during the last preceding fifteen years church rates had been refused, and since their refusal had ceased to be collected; and it then appeared, I think, that there were only 365 parishes in which they had been so refused. I have looked into the local taxation Returns for the last year, and also those for this year, which were delivered to Members only yesterday. I have not been able carefully to analyze these last, but I have obtained some curious results, which I will briefly state to the House. The total number of the Returns for 1865 is 12,074; the rate collected amounts to £241,960; and if you add the proportion of rate for those parishes from which no Return is made—namely, £28,977—you have a total sum of £270,937. But in that Return there is a statement with regard to *nils*, as they are called, which has been taken hold of by a certain Nonconformist newspaper. Among those *nils* are 2,888 places in the Return for 1854, which may be explained as chiefly relating to chapelries where no rates can be levied at all. Yet these *nils* were treated in the newspaper to which I have referred as so many refusals of church rate. Although I have not had time to analyze these Returns, I am told that the parishes in which church rates are refused do not exceed 10 per cent of the whole, and I believe it is nearer 6 per cent than 10. The result is, that in 90 per cent of your parishes at this moment church rates are imposed by the voice of the parishioners. And when you speak of the bickerings which take place in consequence of this impost, I venture to say that all that strife arose in the parishes that have ceased to pay church rates—namely, the populous towns—and that in those other parishes where they are paid it would be the greatest deprivation to take away from them this means of repairing their churches. Yet even with regard to the populous town parishes where the bickerings take place, these frequently are the very parishes for which the voluntary principle would be least suitable. But there is another Return for 1859, which my hon. Friend would find very applicable to that which I think he has in his mind when speaking of the abolition of compulsory church rates, and intimating that something might be substituted for them. The Return to which I now refer gives a rather curious analysis of the different sources from which the funds for the repair of churches had been derived. Out of a total of 10,749 parishes, there are 5,544 in which those funds are derived from church rate alone; 737 in which they are derived from church rate and endowments; 386 in which they are derived from church rates, endowments, voluntary rates, and subscriptions; and 1,892 in which they are derived from church rates, voluntary rates, and subscriptions. These parishes together make a total number of 8,559 in which church rates are levied. I ought to add that there are 320 parishes in which the funds for the repair of the Church are derived from endowments, voluntary rates, and subscriptions, and 835 more in which they are derived from voluntary rates and subscriptions only. These last taken together make 1,155; so that there were, according to that Return of the year 1859, no fewer than 9,714 parishes which were really enabled, partly by church rates and partly by voluntary rates raised by that parochial machinery which it is desired that the Church should have the power to use for its benefit, to provide for the repair of their fabrics. This shows two things most distinctly—first of all, that the great mass of the parishes do not object to the payment of church rates; and secondly, that the machinery for collecting church rates might still be made available, even if they were refused as a compulsory impost. But then it is said by my hon. Friend, "Will you not trust to the voluntary exertions of the Church and her members, and get rid of that which engenders so much animosity and strife?" Sir, I think I am about the last man in this House who ought to be insensible to the value of the voluntary principle. I say that because I have week by week—I might almost say day by day—proofs without number of the immense advantage of that principle when brought in aid of the National Church. As a member of the Ecclesiastical Commission, I may say that by the help given us in that way we have been enabled to overtake to a great extent the pressing wants of the masses of our population. Unconditionally we have made grants for raising the incomes of clergymen to £300 a year in parishes containing a certain population. Concurrently with that we have made conditional grants to meet benefactions; and the benefactions so offered during the last ten years amount to a million of money. In this very year in which I am speaking the offers of benefactions to meet grants amount to £250,000. These are the modes by which the Church of England does act and will act through the voluntary principle as well as by means of the national endowment, and one will materially aid the other. The Church may be described as combining the endowment and voluntary principle, and it is in consequence of that that we are now able to have religion taught in every part of the land. The funds of the Church have been talked of sometimes as if they were the creation of the State, but, with the exception of a million of money given by Parliament at the end of the French Revolutionary War, I do not believe this House has ever granted anything to the Church. It has all come by voluntary donations. That voluntary principle will continue to influence the people of this country, and to multiply the endowments of the Church while there is a want to be supplied, and Heaven knows there are many at the present moment, and such wants must increase as our population increases. I speak of the endowments of the Church together with her other sources of revenue, because it is the object of the Liberation Society to separate them; and I say that if you were to take away those endowments from the Church, it would follow that the voluntary principle must fail in the very places where you desire for it most success. The voluntary principle is a grand principle in cases of emergency, and in localities where there is sufficient zeal and money to promote religion among the people; but that principle without endowments is not adequate to provide for all the requirements of distant parishes and secluded hamlets. Unless you have endowments—which are in fact the creations of the voluntary principle—to aid you in this great and important work, you will leave great gaps in the country totally unsupplied with the ministrations of religion and opportunities of attending public worship. I cannot allow it to be said that we on this side of the House at all distrust the voluntary principle. I believe that the Church is founded on that principle, and is still sustained by it to a great extent; and as long as she shall retain the purity of her worship, the constancy of her faith, the soundness of her doctrine, her fostering care for those who are within and a charitable consideration for those who are without her pale—is founded on a rock which nothing on earth can ever shake. While I believe this, however, I believe also that this is no reason why you should diminish her means of doing good, and still more that it is no reason why you should spoliate any portion of her property, or take away any of her resources without providing some other means that will be adequate to meet all the wants of the Church. Were these the last words I should ever utter, I would beg and entreat you to consider that unless you fully provide for the population now so rapidly multiplying, they will sink into ignorance and heathenism. Nay, more; I am confident that if you take away the means of providing for the religious instruction of the poorer classes in every part of the country, then it will follow that where ignorance is darkest, where vice is greatest, and where, consequently, religion is most needed, your voluntary principle will not, cannot succeed. But if you continue your present endowments, with voluntary assistance, you have a chance of supplying all the wants of the country. I have previously quoted the great moralist, Dr. Chalmers, on this subject, but I cannot refrain from doing so again. He says—

> " Christianity must go forth in quest of human nature. Human nature uninstructed and unassisted never will go forth in quest of Christianity."

That one sentence contains the whole principle on which a national Church is founded; it is the principle, it is the object, it is the mission which the Church of England has most at heart. Believing as I do that this measure, as one of its immediate effects, would impair the efficiency of the mission of the Church, I cannot consent to it; but when I find, according to the best consideration I have been able to give to the subject, that the ultimate consequences of the Bill would be the subversion of the Church as a National Establishment, I feel it my bounden duty to move that this Bill be read a second time on this day six months.

MR. DU CANE: Sir, I rise to second the Amendment. But I wish, in the first instance, to tender my thanks, and, I may add also, the thanks of those who sit around me, to the right hon. Gentleman the Member for Cambridge University for the admirable and effective speech he has just delivered against the second reading of this Bill. I also have to express my gratification that we are called upon by a direct issue—aye or nay—to affirm or reject the Bill, and not to entertain the question of compromise. I have no wish to express any opinion in the abstract adverse to a fair and equitable compromise of this question. I am as ready as my right hon. Friend to acknowledge and as frankly as he has done to admit the imperfections of the existing law, and I will most gladly at the proper time give my support to any measure which might really remedy them, and render the law of church rates more in conformity with the relations which the Church at present bears to the great body of the people of this country. I have supported before this in this House more than one fruitless measure of compromise embracing the principle put forward by the hon. Gentleman the Member for Stoke (Mr. Beresford Hope), and under certain conditions I am perfectly ready to do so again. But it has always appeared to me something of a paradox to attempt to engraft any measure of compromise on a Bill which simply affirms that on and after such a day the collection of church rates shall wholly cease and determine. My hon. Friend the Member for Bury St. Edmunds (Mr. Hardcastle) has said that before any measure of compromise or settlement should be entertained it is absolutely necessary that the House should do away with church rates altogether. I entirely disagree with my hon. Friend. I think if you pass a sentence of death upon a man, and proceed immediately to carry that sentence into execution, it is rather too late to go into the question of settlement or compromise over his dead body. I have always thought it the first essential element of compromise in this question that the House should in the first instance by its rejection of a measure similar to the present affirm that church rates ought not to be abolished. And I further think we have gathered from past experience that any measure of compromise to have a fair chance of passing this House ought to be brought forward, not by a private Member, however high his position or great his talent, but that it ought to be brought forward by all the weight and authority of the Government itself, a Government determined to stand or fall by its measure, and possessing also a clear majority in the House. From the manner in which the present Government has dealt with this question in former Parliaments I doubt whether they possess a sufficient amount of determination; I doubt, also, from what we have seen this Session, whether they possess the necessary majority in the present one. And so far as this side of the House is concerned, I may fairly say, " We have done all that can be expected from us in bringing forward fair and equitable measures of compromise." The hon. Member for Bury St. Edmunds said that the question had been the subject of discussion for the last thirty years, and that during that time thirty-six measures of compromise had been brought forward. I should like to know how many of those measures have not emanated from this side of the House. In point of fact, we have held out the olive branch in this House till our arms have fairly ached from the extension, and it cannot be matter of surprise, looking at the great change which came over the spirit of the House in the last Parliament, that at the beginning of the present we are not inclined to repeat the process. I should like to know how many times have we, on this side of the House, said to the Dissenters, "You tell us you have a conscientious objection to contribute to the rates of a church from whose religious opinions you dissent?" Then we say, "Sign a declaration to that effect, and we will henceforth exempt you from that impost." But the answer of the Dissenters is, "That is not what we want at all. What we want is this. We object to church rates; and because we, as Dissenters, object to church rates, you, as Churchmen, shall not have church rates either. Because we in a few towns have a majority, and therefore we have no church rate grievance (church rates not being levied), therefore the whole bulk of the rural parishes of the country, where the rates are levied and cheerfully and gladly paid, shall be deprived by this Bill of the only means of sustaining the fabric of the Church." This is what the Bill now before the House goes to affirm; and it cannot be a matter of surprise that, so far as compromise is concerned, we are disposed to rest on our oars, and wait till the olive branch waves from the other side of the House. I now venture to approach a branch of the subject which the hon. Member for Bury St. Edmund's treated very delicately, and which the hon. Seconder never mentioned at all. I fear the plain truth is, that, after all, there is that in this cry of church rate abolition "which passeth show," that all those pathetic stories of conscientious grievances—about the poor man of Broseley, and the "ten men in limbo," who never went to limbo at all, —that all these stories are "but the trappings and the suits of woe" to serve as cloaks to the real object of the cry. Every one of those conscientious grievances, all these hypothetical church rate martyrs, would have been amply dealt with seven years ago by the measure of the right hon. Member for Cambridge University. But the real truth is, that we must not look above the gangway for the real object for which the question is brought forward; we must look below the gangway to get at that object; and we must look a bit lower than where sits the hon. Member for Northampton (Mr. Gilpin). The plain object is to be found in the open, frank, and straightforward avowal of the hon. Member for Birmingham (Mr. Bright), who told the people a few years since that he looked on a Bishop in the House of Lords as a creature of monstrous birth, and that this question of the abolition of church rates is but one of a series of measures to be brought forward, with a view to test the supremacy of the establishment. This also is avowed in the evidence of Mr. Miall, Mr. Morley, and Mr. Foster, upon a Committee of the House of Lords, where they said that what they aimed at was the separation of Church and State, and the appropriation to secular purposes of every religious endowment. I am very well aware that the views of the Abolition Society are not shared in by many hon. Members above the gangway. I do not believe they are shared by a majority of the Cabinet. I am pretty sure that unless a more rapid conversion has come over him on this point than on others, they are not shared by the right hon. Gentleman the Chancellor of the Exchequer. I further believe that there is no statesman who has held stronger language on this subject than the noble Lord at the head of the Government (Earl Russell), who, only a few years ago, told this House—

> "We have a National Church, an hereditary Monarch, an hereditary aristocracy; and my belief is that all these things stand together, and that as they stand together so they must fall together. I therefore must oppose the abolition of church rates as having a tendency to subvert the best institutions of the country."

It is very true that since that time a change has come over the noble Lord's convictions on those subjects; but I well remember that in the last speech, I think it was, he ever delivered in this House, at all events his last speech on the subject of church rates, he told us that he supported the abolition of church rates simply and solely because he thought that by the total surrender of the rates the Dissenters would agree to act upon a favourite maxim of his, of "Rest and be thankful," and that a truce of thirty years at least might be purchased against any further attack on the property of the Church. That, I believe, is the opinion entertained by several hon. Gentlemen who sit opposite to us, and who advocate, quite conscientiously I admit, the total abolition of church rates as friends of the Church and its best interests, and who steadily disavow all connection with the Abolition Society. But I do not think that the National Church in this country is reduced to such an extremity by the attacks which have been made upon her as to talk of purchasing a truce by the surrender of her rights. I would ask the House to look at the evidence of Mr. Morley and Mr. Foster, the speeches of Mr. Miall, and the articles in the *Nonconformist* newspaper, and then to say how long, if church rates be once abolished, the most active, the most rigorous portion of the political Dissenters, composing the Liberation Society, will be inclined to act on the maxim of "Rest and be thankful." I will venture to prophesy that it would last only as long as that doctrine of "Rest and be thankful" shall be maintained, in spite of Earl Russell, in another matter. So long as there is no change in the elective franchise I do not believe the Liberation Society, with all its ability and activity, will be in a position to carry out any further its programme. But let a Reform Bill once be passed; let there be a further infusion of the democratic element in this House, and then the case will be very different. The warfare against every species of Church property will then be instantaneously renewed with augmented strength and vigour by the enemies of the Church. The Liberation Society are perfectly wise in their generation, and this is the reason why in all their writings they have placed Democratic Reform at the head of their programme. In 1857, Mr. Fox, the late Member for Oldham, at the annual meeting of the Liberation Society told the meeting that this question of church rate abolition was, in point of fact, nothing but a political agitation; and he added—

> "Political Reform is the broad highway on which we must march to religious freedom and equality."

He further explained that by religious freedom and equality he meant the expulsion of the Bishops from the House of Lords, and the abolition of any tax which makes one man pay in any form for the religion of another. A few years after that, at a similar meeting, Mr. Miall said—

> "Help forward the abolition of church rates and the separation of Church and State whenever you can. If you cannot do that, help forward the suffrage, and the rest will follow as a matter of course."

I think that is the reason why, of late years, we have witnessed the intrusion at all times, in season and out of season, of that single barrelled Reform Bill of the hon. Member for Leeds (Mr. Baines), and why we had the declaration which was made by the Chancellor of the Exchequer on the introduction of that Bill. We now stand within four days of the bringing in of a Reform Bill by the statesman who made that memorable declaration, and we stand committed to a Reform agitation for a considerable downward extension of the suffrage. We know with what views on Church matters this agitation is commenced by the leaders of it, and I would ask the friends of the Church, with all frankness, is this a time to talk of purchasing a short and hollow truce by the total and unconditional surrender of church rates? It may be a matter of opinion whether the expulsion of the Bishops from the House of Lords, the separation of Church and State, and the appropriation of all Church property to secular purposes are desirable objects; but I, for one, do not hesitate to say that I think it would be a disastrous day for the best institutions of the country if ever one-third of such a programme should be accomplished. I do not hesitate to say, further, that at such a time, when such a Reform agitation is coming, for the friends of the Church to sanction the total and unconditional abolition of church rates would be very materially to assist in carrying out that programme. It would be tantamount to handing over the keys of your fortress to the enemy and bidding him walk in. The separation of Church and State is the real question at issue in this matter. I believe that beneath the union of Church and State more perfect liberty, both civil and religious, has been preserved and confirmed to this country than has been witnessed in any other age or in any other country. For these reasons I, for one, shall give my hearty support to the Motion of my right hon. Friend the Member for the University of Cambridge, and shall join with him in saying a hearty "no" to the Motion for the second reading of this Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Walpole.*)

Question proposed, "That the word 'now' stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER: Sir, I do not rise to address the House on this occasion in virtue of my connection with Her Majesty's Government. The Government, up to the present time, have not perceived such a state of facts and circumstances in relation to this question as would have justified them in making a proposition to the House. I think we must all feel it is not desirable that the Administration of the day, whatever it may be, should recommend to Parliament any plan dealing with this subject until there is a reasonable prospect of success. I speak now simply in my capacity as an individual Member, as one who has taken part in some scores of these debates and divisions in relation to church rates which have distinguished the annals of this House, and occupied no small portion of its time for more than a quarter of a century. The great majority of us must feel that if it is possible it is desirable to have a settlement of this question. I think from what has been said in the debate that there are Members on both sides of this House who do not concur, or at all events do not emphatically concur in that opinion. To those who prosecute the interests of Dissent, it is not a very inconvenient thing to have in existence a discussion which raises so many points of soreness in the different districts of the country. On the other hand, there may be those who think that resistance to the abolition of church rates is not a bad standard round which to rally their followers. But however that may be, the impartial good sense of this House sincerely desires, I am sure, to arrive at some decision on the subject. Our legislation with respect to this question of church rates seems to me to have undergone something like a paralysis. I doubt whether any other public question has occupied for so many years so many hours of our time—has been debated so often with the necessary repetition of the same arguments—with such a total absence of legislative progress. Let us see whether it be possible to achieve such progress, or to make a single step towards it. I have spoken advisedly of legislative progress, for as far as moral progress is concerned—I mean the preparation of the minds of hon. Members both on one side of the House and the other to deal with the subject—I think it is clear very considerable advance has been made. I am not going to charge my right hon. Friend opposite (Mr. Walpole) or the hon. Gentleman (Mr. Du Cane), who so ably seconded his Amendment, with indiscriminate resistance in this matter, but I feel, I confess, somewhat bewildered by the magnitude of the topics which formed the staple of both their speeches. The speech of my right hon. Friend turned mainly on the discussion of the questions whether State endowments are permissible, or whether we ought to pass to the fulfilment of the designs of a body which is called the Liberation Society. The hon. Gentleman who followed him has further widened the field—why, it does not appear to me very clearly—by introducing into the debate the subject of the Parliamentary franchise. On that point I must observe that I dissent entirely from the remarks which fell from him, and I dissent from them above all as a Churchman. The interpretation to be put upon the latter portion of his speech may, I think, very fairly be given in these terms:—"The Church is safe within these walls so long as you keep the nation out of them." I object, on such an occasion as this, to enter into a thorough discussion of the question of Church and State. I do not deny that there is a considerable relation between the theory of church rates and the right to tax the entire community for the maintenance of the edifices and the welfare of the State religion; but surely my right hon. Friend must see that whatever the advantages of such a system carried out in its integrity may be, its bearing on the question of Church and State, and its value for strengthening the system of Church and State, is fatally impaired by two circumstances, one of which he recognizes, and the other he is ready to recognize. The first is, that the inhabitants of every parish may, if it pleases them, by means of agitation reduce this great theory to nothing in their own case; the second is to be found in the fact that my right hon. Friend is ready to make one great stride in advance of that state of things, and to allow every individual to do for himself that which the law as it stands permits in the case of every parish. There is another view of the matter bearing upon this question of Church and State. There can be no doubt that the abolition of church rates would remove the occasion of controversy on many sore points, not merely within the arena of the House of Commons, but in a very large number of parishes throughout the country, nor am I at all prepared to say that the Church would in consequence be less secure. No answer has been given to the views which were so mildly stated, perhaps understated, on this particular part of the case by my hon. Friend the Member for Bury St. Edmund's. He tells you that you have abolished church rates in Ireland, and I ask whether there is a single man who can say that the result of that abolition has been to weaken the Established Church in that country? On the contrary, there are, I suspect, a great many hon. Members in this House who are of opinion that the result has been to strengthen it a great deal too much. Sir, I look upon this question of church rates as lying practically within very narrow limits. It is very generally admitted that it is desirable the existing state of the law should be altered. I think we must all feel that it is as it stands so difficult of execution as to be *primâ facie* open to great objection. The mover of the second reading of the Bill and his seconder have quoted cases of recent suffering consequent on the levying of church rates, but they do not, I apprehend, rely upon those cases as being fair samples of that which usually takes place when a church rate is levied against the wishes of a reluctant minority. My belief, at least, is that when the charge is so made the majority in nine cases out of ten escape or decline payment. The conflict arising out of the present law, the many points of form that can be raised, and the facilities afforded for every kind of resistance prevent in fact, in a vast number of instances, the compulsory application of the law. But then it may be said, "This very circumstance shows that the amount of suffering is, after all, very small." I believe it to be small, but then the existence of such a state of things as that of which I am speaking clearly proves that the operation of the present law, regarded as a law for enforcing on the whole community, in deference to the connection between Church and State, a general rate, is exceedingly vague and uncertain, and is practically reduced to the very skeleton or shred of a compulsory system. I object to the law as it stands, on the ground that it does a great injustice to the Church, for nothing can be more injurious to the position of the Church than that its affairs in those cases in which a church rate is refused should remain liable as before to be dealt with by a dissenting majority, and that the burden of settling matters should be cast upon the clergy, who have to become beggars to a great extent, because no appropriate fund on which to draw under the circumstances is provided. My right hon. Friend himself very fairly admitted that the Dissenters had a real grievance of which to complain. He says, "It is true, but then they will not accept the remedy we offer." I think I may say he evidently sees that the case is not thus satisfactorily disposed of, otherwise he would not make the admission I have just mentioned. The hon. Gentleman who seconded the Amendment (Mr. Du Cane) claimed distinctly for his party the credit of having held out the olive branch on this subject. His statement on that point, however, is not perfectly correct. If we want to know the history of the proposals with regard to the exemption of Dissenters, we must go back to the time when such a proposal was first made. As far as my memory serves me, that was about the year 1848, when, if I mistake not, Sir William Page Wood, sitting on this side of the House, brought forward a Motion on the subject which was immediately denounced by some hon. Gentlemen opposite, whom I have now in my eye. I grant that since then there have been proposals emanating from the other side of the House rejected by the Dissenters. In this instance we have had, after all, merely a repetition of the old story; a proposal as soon as it is accepted by one side is rejected by the other, and when the side from which the rejection came express their readiness to make a concession, their opponents, finding themselves stronger, change their minds and say "No." There is one injustice wider than any that have been mentioned involved in the law with regard to church rates as it stands, in reference to the populous parishes throughout the country, on which I should like to say a word. The old law of church rates never proposed to impose a burden without providing a corresponding benefit. The burden was the liability to levy and to contribute to a rate; the benefit a right to accommodation in the parish church. What has become of that right? In the rural parishes, strictly so called, I am happy to say it still exists. But in the great mass of populous parishes, where a rate is refused but where the law, it must be remembered, is not abolished and only remains in suspense, the right of accommodation in the parish church—which belongs alike to Dissenters and to those who are members of the Church of England—has become in many instances a mere shadow and a name, while the legal liability continues. That is a radical injustice in the operation of the law quite distinct from the grievances of Dissenters and not to be met by any mode of dealing with this question which would touch nothing but their exemption. I confess that I am, and have always been, one of those who are not prepared to consent to the simple abolition of church rates. The machinery by which it has been the usage from time immemorial for the people of this country to assess themselves for the purpose of levying that charge is of the utmost value to this country. I do not think the arguments of the hon. Member for Northampton (Mr. Gilpin), though it is impossible not to admire their spirit, with regard to that deep inexhaustible fountain of Christian benevolence which exists in this country, sufficiently take into account the changes at once in the habits of the population and especially of the rural population. I am bound to say that, looking at the question in connection with the position of the Church as a National Church, which aims not merely at providing religious accommodation for those who come to it with ready formed convictions in their minds, but which professes to have open doors for any man who wishes to enter. I think the simple abolition of the rate would not be a satisfactory settlement. I think the practical result of the simple abolition of church rates would be to throw the rural parishes upon the clergy—who are already in many respects overburdened—who have but limited stipends, but I must say, generally, unbounded liberality. In the absence in many cases of aid derived from other resources, this would be a charge which it would be most unjust to impose on them, and would have the effect of making a fresh demand for secular objects on time which ought to be at the disposal of their parishioners for spiritual purposes. Lastly, I object on principle to the management of the affairs connected with the maintenance of the fabric of the Church, the performance of its services, and the keeping up of the churchyards, by those who decline to bear any share in the necessary expense. It seems to me that if you abolish the rate and give the right to the parishioners to take part in the disposal of a fund to which they do not contribute, you would be introducing a new and a great injustice. I am glad to find that my hon. Friends the Members for Bury St. Edmund's and Nottingham concur in that view, and to perceive the opposing parties drawing nearer to each other. It may be impossible altogether to bridge over the gap, but let us note the attempts that have been made to that end. The proposal made in 1859 was one which I admit, if you put a strict interpretation upon it, appears to be limited, but "conscientious objections" are not to be determined upon by any public authority; each man interprets it for himself. He might say that he thought a rate wrong and adverse to the public good, although he might not feel it as a great personal hardship, and so have "conscientious objections." It was said with great force by the hon. Member that these phrases of doubtful construction ought not to be introduced into laws. We have, indeed, of late years had experience of the great inconvenience of introducing ambiguous words into the most solemn public formularies. I confess that I am reluctant to take that course; but, still, I apprehend that the practical effect of the proposal of the hon. Member would be to exempt from the rate any person that might choose not to pay it. But if that is to be so, it will leave to pay the church rate no persons except those who wish to pay it; and why may not that method of proceeding be adopted, and why should we not hope that if it were accepted by the opposite side of the House, it would also be accepted by this side? We should then abolish the compulsory process, which, as far as my knowledge goes, is in the vast majority of cases unavailing; but which, still existing as it does in theory, operates in some cases effectively, and necessarily rather rashly and oppressively. I can see that if a measure were adopted with that basis, or if the terms of the measure of my hon. Friend were modified with that view, the principle on which we should proceed would be this, that the participation in the administration of the church rate would be confined to those who are willing to pay it; while there would be a distinct admission —nay, a distinct enactment — that we should exclude those who declined to pay, from the management and application of a fund to which they refused to contribute. It seems to me that we might then come to a solution of the question which would not be unsatisfactory to any one who desires to see it settled. My right hon. Friend the Member for the University of Cambridge underrated, I think, the difficulty of its solution, when he referred to the declaration of the late Sir Robert Peel on the proposal of Sir William Page Wood, and when in terms that appeared to carry a reproach—which I am sure he did not mean to convey—he said that Sir Robert Peel, after having declared that this question ought to be settled, and having in his hands the power of settling it, remained five years in office without making any attempt to accomplish that object. Now, I venture to think that the motives which prevented Sir Robert Peel from making that attempt were of the most palpable and tangible character. There was no man who had a better eye for measuring the chances of the success of a measure in Parliament than Sir Robert Peel ; and I apprehend that it was his conviction of his inability to prepare a measure which, consistently with his sense of justice, he could carry through this House that deterred him from engaging in that attempt, even at the period of the greatest strength of his Government. And let it be observed, that with the single exception of the Government of 1837 no Administration for more than thirty years has made what I would call a serious or determined attempt to arrive at a solution of this question. I think, however, that it is hardly creditable to this country—that it is hardly creditable to the Legislature, or to our good sense, and that it is not in conformity with the mode in which practical questions are usually dealt with by the people of this country that the subject should continue from year to year to be battered about and tossed backward and forward without our arriving at any practical result. I am not able, as I said before, to vote for a simple abolition of church rates, and if my hon. Friend means—which, however, I do not gather from his speech—that this is and will continue to be a mere Bill for the abolition of church rates, I am not prepared to vote for it in that sense. My right hon. Friend the Member for the University of Cambridge having moved an Amendment, it will of course be competent to my hon. Friend to address the House again, and, I hope, that as the speech he has already made seemed to open a door for the settlement of the question, he will consider himself under a certain obligation to modify his proposal. It appears to me that if the compulsory powers are abolished in this case, the first effect will be that the fund can only be administered by those who contribute to its creation. In the second place authority ought, in my opinion, to be given to the vestries to determine that if the churchyards are to be maintained solely at the expense of one portion of the community they should have the power of compensating themselves by ordering that other persons who may think proper to use the churchyards should be liable to some equitable charge for the accommodation which they would thus receive. I do not think that I need detain the House any longer. I hope the suggestion which I have ventured to make will be taken for what it is worth. I trust that hon. Members will believe it has been offered simply from a desire to attain that which may be the best practical solution of this much-vexed question. It is evident that we have to deal with a country where an immense difference of circumstances in different parishes creates the greatest difficulty in devising a system which would be adapted to our general requirements. The proposal I have made, including that of abolishing the compulsory power of collecting church rates, while provision is made for obtaining the amount required for making all necessary repairs from those who are willing to give it, appears to me to involve on the part of the Church a sacrifice of little beyond the enjoyment of a power which is at once vexatious and ineffective, while it promises great practical good, will conciliate a numerous and influential body, and offers the hope of a settlement of this question more satisfactory than, so far as I can see, can be obtained in any other mode. I see no reason, therefore, why it should not meet with the general approval of the House.

MR. BERESFORD HOPE said, he could scarcely express the pleasure with which he had listened to the speech of the right hon. Gentleman the Chancellor of the Exchequer since in it he saw, or at least he thought he saw, daylight breaking on this vexed and cloudy question. In that speech was a declaration of a desire on the part of the right hon. Gentleman that this question should be settled fairly and equitably for the Church, and fairly and equitably for Dissent. He rejoiced to hear such a declaration from one who possessed not only the goodwill but the power to carry such a settlement into effect. Similar settlements had often been proposed before, but they were advocated by those who possessed the will but not the power to induce the House to assent to them. They must not forget that the right hon. Gentleman who moved the rejection of the Bill that morning had himself, in 1859, when on the Treasury Bench, moved a Church Rate Settlement Bill, which involved the exemption of those who were undesirous of paying the rate. But the Government of which, if the right hon. Gentleman was not the leader, he was, at all events, a most prominent Member, had not a majority of the House at the time, and his Bill contained, unfortunately, certain provisions of commutation, which prevented the clear issue being tried. The hon. Member for Buckingham (Mr. Hubbard) and the noble Lord the Member for Stamford (Viscount Cranbourne) had also brought in a Bill upon the subject for a like exemption early in the following Parliament, but it also fell through; while in the same year, 1859, in which the hon. Member for the University moved his Bill, a Committee of the House of Lords—the Duke of Marlborough's Committee—sat, before which the now historic evidence of the hon. Member for Nottingham and of Dr. Foster was given, to which he would not then allude, as his object was peace and not war. That Committee having itself just heard that evidence, and having no doubt been much struck with it, for all that inserted the following recommendation in its Report, dated on the 19th of February:—

> "That for the future persons desirous of being exempted from contributing to the church rates in any parish may give yearly notice to that effect to the Churchwardens prior to the meeting of any vestry for the making of a church rate, and that such persons shall not be entitled to attend any such vestry and to vote upon the making or the application of such rate, or to act as Churchwardens, in any matter relating to the Church, or to retain any seat appropriated to them in the Church during the time of such exemption."

That was identically the proposal of the Chancellor of the Exchequer. That clause in the Report did not pass without a division. The Peers who were "content" were the late Archbishop of Canterbury, the present Bishop of London, the Duke of Marlborough, the Marquess of Salisbury, the Earl of Derby, Earl Stanhope, the Earl of Romney, the Earl of Powis, and Lord Wensleydale. Those were great and weighty names no doubt, and all of them with the exception of the two Bishops and the last noble Lord belonged to the side of the House on which he sat, so let it not be said that the proposal of a compromise on this question equitable to the Dissenters had not been upheld by those who felt themselves bound to vote against a Bill for the total abolition of church rates. He was sorry to hear the hon. Member for North Essex (Mr. Du Cane) say that he had held out the olive branch until his arm ached — in a work of peace and justice the arm should never tire. He desired to see a settlement—he would not call it a compromise, but rather a fair treaty between two equal belligerent parties, each of which was conscious of the strength of its own cause and was willing in the course of that settlement to assume that the other side had an equally good case. He was willing to admit that there was a great deal in the objections of the hon. Member for Bury St. Edmund's and the Chancellor of the Exchequer to the terms of the Notice which stood on the Paper a few days ago in his name. He did not stand to those words, which he had merely put down as a short and clear method of expressing the kind of settlement of the question which he believed was the only proper and possible one. But the definition of the Chancellor of the Exchequer of the same proposition was quite satisfactory to him, and he was willing to adopt the words of the right hon. Gentleman as the exponents of his meaning, and he was willing to adopt them as the basis of a negotiation such as they never yet had had the opportunity of carrying out. He believed no other terms than those would be successful. He looked upon pew-rents, which some persons had thought of introducing even in parishes in which they had not been levied before, as mere impediments, and as adding to the existing confusion and vexation of the question. The instincts of the House revolted against pew-rents, which appeared to have been instituted for the purpose of making the Church an easy place of worship for the genteel middle-classes to the exclusion of the poor, whose ancient right in their common church was thereby imperilled or lost. Again, he very strongly objected to the compromise which confined the impost to a fabric rate, exclusive of any payment for the worship, whereby it was in effect declared that the fabrics were not the property of the community who worshipped therein, but were rather the property of the State itself which would thereby acquire a contingent right to hand them over to any body of Christians, or, indeed, to any one. They all knew the tyranny which bureaucracies abroad exercised over every form of Christianity, Protestant and Roman Catholic alike, and if that system were adopted in this country, we should soon have cause to repent its introduction, of which the fabric rate might be the insidious commencement. He was, therefore, glad not to have heard one word uttered in the course of the debate on the subject of the fabric rate, as it would be far better at once to abandon the church rates altogether than to attempt to levy a rate on terms that would be a practical surrender of the property of the Church to the Executive power. After all, the most valuable thing which was left to the Establishment was its own clear right to its property; and it was better to secure that property at the sacrifice of all rates, than make good the name of rate with peril to the property. Another of the palliatives proposed, that of crystallizing the extinction of church rates in parishes in which they had for a certain term of years ceased to be levied, would also be very objectionable, as this would tend to divide the country by hard geographical lines into two provinces, containing respectively two establishments—the one an establishment which embraced, and the other an establishment which rejected church rates; this would be but the prelude to the speedy abolition of the rate all over the land. The best solution in an ideal commonwealth would be the religion tax, in which each man was rateably assessed, but had the power of saying to which form of worship he desired his money to be paid over. But that arrangement he did not think practicable as things stood in this country. He then came to the last and most practical proposition that had been suggested, which kept the machinery of the now non-compulsory church rate as it then was in the parishes wherein it was still levied, and where, from a point of honour, the existence of old traditions, and other circumstances, it would be likely to be retained; even if it were not revived in parishes where it has been lost, which he was willing to think possible, as in them the Dissenters could have no motive for objecting to such a revival, which left them out. The Chancellor of the Exchequer had said emphatically that those who did not pay must not interfere with the conduct of divine worship in the Church of the use of which they had voluntarily deprived themselves. On this principle hinged the acceptability of the scheme among Churchmen. That proposition had been thrown down on the table by the leader of the House, and it had certainly been received with very great favour on that (the Opposition) side of the House. Each Member would, doubtless, support his own principles, but no one who had noticed the cheers with which the proposition of the Chancellor of the Exchequer was received could say that that proposition had not obtained a more than candid consideration from the hon. Members on both sides of the House. But, unfortunately, there stood in the way of a peaceful solution of the question the Bill which they were now considering. He was quite satisfied that the hon. Gentleman who introduced it was not one of those who would be content to act as the "cat's-paw" of the Liberation Society. The hon. Gentleman was a Churchman, an earnest and a liberal man, and he was sure he had brought forward this Bill with the sincere hope of remedying that which he considered to be undesirable for the interests of the Church. He therefore appealed to the hon. Gentleman, in the face of the opinion that had been expressed from the Treasury Bench, and after the manner in which that opinion had been received by Members on both sides, not to throw discord where peace was about to come by forcing the House that day to a hard and dry "Aye" and "No" division upon a Bill of which the principle was the total, the immediate, and the unconditional abolition of church rates. Of course, before the day was over the hon. Gentleman would rise and state his intentions upon the subject. But he put it to the hon. Member's good feeling as to what was right and beneficial for the Church, whether he would not at the proper time, if not altogether, withdraw his Bill—["No, no!"]—which, he must say, appeared to him to be the fairest and most equitable step that could be taken—["No, no!"]—at least postpone it to some later day—[No, no!"]—so that both sides of the House might have an opportunity of weighing the statesmanlike words that had fallen from the Treasury Bench and from the right hon. Member for the University of Cambridge in his most admirable speech, and of seeing whether they could not agree to a Bill which, if not carried unanimously, would at least pass after one of those sham divisions which naturally followed in the tail of a moderate settlement of a great question which had for many years distracted the attention of the House. He trusted that the question would now be settled once for all, and saying that, he would not trouble them with many more words, for he did not envy the man who came into the House to take part in a church rate debate without a wish that the subject should be put at rest. The question was never before so nearly being settled as it was that day, and it could be only by violence on one side or on the other, by indulging political passions instead of honestly endeavouring to heal the great breach of Christian charity—it could only be by the interference of the extreme section of either party, that a fair and just settlement of this question would now be frustrated.

MR. BRIGHT: I had no intention of offering any observations to the House, but after the course which the debate has taken, and after the speech of the right hon. Gentleman the Chancellor of the Exchequer, I should like to occupy the time of the House for a few minutes only. The Chancellor of the Exchequer is not in the House at the present moment, and he perhaps may not come back. [*Laughter.*] Hon. Gentlemen are unfair if by this expression they suppose I mean to insinuate that the Chancellor of the Exchequer will not be here at the division; because in his speech he has stated explicitly the course he intends to take, and the conditions under which he will vote, and the conditions on which he will not vote for this Bill. The hon. Member who has just sat down says we are nearer the settlement of this question than we ever were before. As a matter of time I presume that is the truth. I recollect our being exactly at this point some three or four years ago. When on the Motion of the late Member for Wiltshire (Mr. Sotheron Estcourt) we were discussing this matter we thought we were almost entirely agreed. But from some cause or other the parties drew apart again. I believe hon. Gentlemen opposite found on a division they could get a majority of one or two, which made them less disposed to compromise than when the majority was the other way. However, I am very glad to observe that now nobody wishes much to retain church rates. The right hon. Gentleman the Member for the University of Cambridge, who made as good a speech as could be made on the subject, evidently felt a great deal of difficulty in defending his case. He admitted the grievance that this tax is to Dissenters, but he laboured under this great difficulty: he wanted to maintain in this matter the present supremacy of the Church and at the same time to do justice to the members of the free churches and the dissenting bodies in this country. For my part I believe the two things simply impossible, and I would advise the right hon. Gentleman not to attempt it. I am prepared to say in the most express manner possible that anything like compromise of the principle upon which this Bill is brought forward is absolutely impossible. But without compromising principle there may be a mode of dealing with the question which may be convenient for the country, may be satisfactory to us, and in no degree offensive to hon. Gentlemen opposite. I do not myself understand very clearly the plan proposed by the Chancellor of the Exchequer. The hon. Gentleman opposite (Mr. Beresford Hope) appears to have understood it most clearly, because I think he says it agrees with his own views as set forth in the Amendment he proposed some days ago to move to this Motion. Three or four years ago I made a proposal to the House on this subject which I think is not a long way from that which the Chancellor of the Exchequer has proposed. I find the Gentlemen on the Treasury Bench in a few years generally come up to something very nearly the same in principle to what I propose. The same may be said of Gentlemen opposite, only they take a longer period. Now, what I proposed to do was this, that in regard to church rates, and the law of church rates, we should abolish the magistrate, the summons, and the bailiff. In point of fact, the compulsory power of collecting should be abolished. The right hon. Gentleman (Sir George Grey) knows how I have argued this question before. There are many instances — Manchester is one, Rochdale another, with which I am particularly familiar—where after incessant squabbles—fights at elections of Members of Parliament are merely times of pleasant recreation in comparison—it has been found impossible to collect the rate even after it was voted by the vestry. The result in Rochdale was that the Church party said to the other party, "If you will allow us to appoint our own Churchwardens we won't trouble you for church rates." There were two parties amongst the Church people, each with a list of Churchwardens, and each party appealed to the Dissenters, saying they would never again enforce the collecting of the church rate from those who objected to it. From that time I believe Dissenters have taken no interest in the matter. The Church people collect whatever they think right from the friends of the Church, and anybody who will give, and I can assure the House that the Church has been in very much better repair than it was before, and the peace of the parish has never since that period been disturbed. Now suppose we were to allow the Bill of the hon. Member to be read a second time. Such a course would be quite compatible with the view of the hon. Member opposite (Mr. Beresford Hope), and also with the view of the Chancellor of the Exchequer, and when the Bill comes into Committee it can be so changed as to get rid of the compulsory power of collecting, leaving all the other powers as they now are—that is, the vestry could meet and determine upon the sum proper to expend, and the rate also could be fixed. Those who were interested in the question of course would attend and manage the affair, and then they would collect a rate from all the ratepayers of the parish who thought fit to contribute. I am not at all certain that there would not be a good many Dissenters that now pertinaciously refuse to pay the rate who, if such a plan were adopted, would be willing to do something in contributing towards the sustentation of the fabrics of the Church. We know there are many men in this country who go to Church and who give regularly to other places of worship, to schools and so forth; and no doubt there are many Dissenters having surplus means who would contribute to the support of the Church. I have no doubt such an arrangement as this would change all that bitterness of feeling of which we hear so much; and the very fact of Churchmen giving to a Baptist or Independent Chapel, and a Baptist or Independent giving a similar contribution to the building or repair of a church, would have a very excellent effect upon Churchmen and Dissenters alike. It would lead them to find out that although they call themselves Churchmen, and Baptists, and Independents, after all these are but temporary and unimportant divisions, and that they are all brethren in the same common and universal Christianity. And I believe nobody would gain more by it than Churchmen themselves. The Chancellor of the Exchequer made an observation on the subject of graveyards. But cemeteries—I mean public cemeteries—have been established very extensively in the neighbourhood of the towns. His objection could not apply to them. With regard to churchyards in the rural parishes, the population is generally very thin. I should suppose there would be no difficulty there. There are great numbers of the chapels having graveyards. Therefore, I would not advise the House to mix up the question of graveyards with this church rate question, as it affects Dissenters. There would be no greater difficulty than has existed in times past. If you simply abolish the compulsory power of collecting the rate, I have not the slightest doubt —I was never more certain of anything in my life—you would all admit five years hence that your churches were in as good condition as before, that your clergymen were not a bit more burdened than now, and we should get clearly a valuable result so far as this House is concerned—we should not have to spend some half-a-dozen days every Session as we have done for the last five or six years in discussing this, in some degree, miserable question, and which if we were a little more reasonable we should have got rid of a long time ago. I was glad to observe that the Chancellor of the Exchequer dwelt very little to-day on what formed his principal argument once before. I believe it was the last time he spoke on this matter. He now has no fear of the towns, but he has great fear with regard to rural parishes. I believe that is the opinion of the right hon. Gentleman opposite. Well, I will not trouble the House with what has been done in Scotland and in England on the voluntary principle; but I was looking this morning over an admirable letter in reference to the educational and social condition of Wales, and the facts stated therein are so extraordinary, and apply so exactly to the case of the rural parishes, that I think the House will forgive me if I re-produce them. The population of Wales, according to the Census of 1851, is about 1,100,000. The places of worship belonging to the Church number 1,180; to the Nonconformists, 2,826; the sittings of the Church, 302,000; of the Nonconformists, 692,000 —that was 30 per cent of the population Church, 70 per cent of the population Nonconformist. Now, when Mr. Horace Mann made his calculation as to the number of sittings necessary for the population to make full provision for public worship, he estimated them at 58 per cent. The Church in Wales is short of that number by 387,000, while the Nonconformists have exceeded it by 2,770 sittings. The Church, therefore, is only provided with accommodation to the extent of 25 per cent of the population while the Nonconformists provide 59 per cent. On the 31st of March, 1851, the Church worshippers amounted to 134,000, or 21 per cent of the population; the Nonconformist worshippers were 490,000, or 75 per cent. There is only one other fact to which I would call attention, and then I will leave the subject to the consideration of the House. The writer of this letter gives an account of the number of places of worship existing in Wales at different periods; and I beg the attention of the right hon. Gentleman to it, because I am very anxious to strengthen his faith as to what his friends could do in rural parishes by voluntary subscription. In the year 1742 there were only 110 dissenting places of worship in Wales; in 1775, 171; in 1816, 993; in 1861, 2,927; in 1866, 3,107. The enormous increase dates from the time of the great revival of religion in this country through the efforts principally of John Wesley and George Whitfield. The result is that in that country, where the people are, as compared with England, poor and scattered, where they are shut out from the sympathies and the knowledge of their wealthier Nonconformist brethren in England by the exclusiveness of their own language, and where the proprietors of the soil belong to the Established Church and have little sympathy with Nonconformity—in that country, so poor and so isolated, and so little reckoned in the compass of the United Kingdom and in the greatness of the Empire, these dissenting bodies on the voluntary principle have done all I have described. I have said before, and I say it now, that I regret I cannot speak to the House as my hon. Friend (Mr. Hardcastle) has spoken, as a member of the Established Church. If I could I should beseech the members of that Church, by every argument I could use, to get rid of this miserable cause of contention. That you can sustain your churches is proved by all the right hon. Gentleman (Mr. Walpole) has shown of the voluntary efforts in your own Church. It has been proved abundantly by what has been done in the Free Church of Scotland, by the Roman Catholic Church of Ireland, and by those poor people in Wales. If this question were once put an end to, as has been shown is so much desired by my hon. Friend the Member for Nottingham (Mr. Morley), of whom the right hon. Gentleman (Mr. Walpole) seems to have so great a terror, although a better nature or a more just man never entered the House—if this question were put an end to we should then, I say, see what voluntary effort could accomplish. If the right hon. Gentleman thinks my hon. Friend would damage the Church because he advocates the abolition of church rates, he never made a greater mistake on any question upon which he has thought or spoken. The fact is, that although this matter of church rates is a matter connected with the Established Church, yet the settlement of it does not, in my opinion, so disadvantageously affect the question of the Church as appears to be thought by the hon. Gentlemen opposite. As long as you have a majority of the people of this country, or nearly a majority belonging to the Church—so long as the Church of England has within its churches thousands of excellent and zealous men doing its work—you may rely upon it that Church will not be overthrown by the Liberation Society or by my hon. Friend. I know there is a great question—it is the question of Church Establishments — behind this of church rates. That is a question which in time to come—may I not say it?—probably will not sleep. But that is a question which in no degree will be affected advantageously for us by the abolition of the church rate. The right hon. Gentleman (Mr. Walpole) and hon. Gentlemen opposite should not imagine that they can stamp finality upon a great question of that nature. In Canada our countrymen have solved that question in a way adverse to the views of the right hon. Gentleman. The United States, when they separated from this country, solved it in the same way. The Australian colonies have taken the same course, and the time may come when the people of this country will follow their example. Whether it will be so or not I shall make no prediction. At present there is no danger that your Establishment will soon come to an end. I am not speaking of it as a Church; I am speaking of it merely as a political Establishment. You tell us, sometimes with a plaintive and at other times with an angry voice, that your Church is always in danger. I do not in the least believe it. As a political institution, in all probability it is destined to many years of life. As a religious institution, I hope it may live so long as it has the power to convey the truths of religion and teach the morality of the New Testament to one single humble citizen of this country. Well, now I come back to what I proposed three or four years ago, and what I understood Mr. Sotheron Estcourt was willing to accept—namely, that we should abolish the compulsory powers (one clause in the Bill would be sufficient for that purpose), and that we should leave all the rest to work as it now does. I would stake any small reputation I have in this House, or in the country, in regard to political matters, upon this—that I believe in two, or at any rate, in five years hence there would be a sort of universal sentiment on that (the Opposition) side of the House that my proposition had been a wise one, and that, when carried out, it had acted well for the country. I am happy to say there is now a general admission that some things I recommended to Parliament in past time were not so foolish as they were then declared to be. The hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) is a friend of peace. He spoke in that sense and I believe him. I think there was much that was rational and right in what he said. Let him then, and those who think with him, join with us just in putting an end to this little matter of compulsion. Any of us could in five minutes put it in a clause that would be perfectly well understood throughout the country. The question of church rates would be settled for ever. Peace would be restored in scores, perhaps hundreds, of parishes, and, for aught I know, the ghastly spectre of the Liberation Society might not appal the minds and disturb the senses of hon. Gentlemen opposite.

MR. GATHORNE HARDY: Sir, in addressing the House on a subject so well worn I feel that I ought perhaps to apologize for speaking at all, but though I have taken an interest in it on former occasions I have only once addressed the House upon it. I am therefore, perhaps, in some respects, entitled to take part in the present debate. The hon. Member for Birmingham (Mr. Bright) has addressed us in lamblike accents, as if he now sought to coax us to follow him, having vainly endeavoured to drive us. But he appears to have forgotten that on the occasion to which he alludes, as on this, we resisted the proposition he made, because the Bill then before the House embodied the same principle as this Bill. The proposition which he then made and now again makes was not brought forward in the shape in which it ought to be in order to have the acceptance of the House — in the form of a Bill, but as something that was promised if the Bill was read a second time. The second reading of this Bill, however, involves the principle of doing away altogether with compulsory rates for sustaining the fabrics of the Church and its services. The hon. Member for Birmingham says that my right hon. Friend (Mr. Sotheron Estcourt) was prepared to accept the proposition he made. I think that must be an error of recollection on the part of the hon. Member for Birmingham. I can speak positively, having had much conversation with Mr. Estcourt on the subject, and I am confirmed in this by the fact that in 1861 he put on the table Resolutions which he had prepared with regard to church rates, and in justice to my right hon. Friend I may be allowed to read one of them which certainly does not support the statement of the hon. Member. The second of those Resolutions was in these words—

> "That the law relating to church rates may be beneficially settled by combining in one measure provisions for each of the following objects:—1. To enable vestries specially summoned, and in which owners shall have a vote by proxy, to transfer from occupiers to owners so much of their liability as regards the repair of their parish church and churchyard; and to make such special rate, if voted by a majority, recoverable by the same process as a rate for repairs of highway."

So far, then, from doing away with the compulsory rate, Mr. Estcourt's proposal was not to leave the collection of church rates on the present footing, which has some difficulties connected with it, but to place it on the footing of the poor rate and highway rate, which we all know are collected with little difficulty. The mode in which they are now enforced is that to which the hon. Mover of the present Bill adverted—namely, by distress. That is the only way in which, practically, you can enforce such a rate. The only other means is spiritual censure, which involves such difficulties that it is never in any case resorted to. The Chancellor of the Exchequer told us, I know not on what authority, that minorities were not called on to pay the rate. That, from all I have heard, is not the case. The minority yield to the majority; and though persons who like the hon. Member for Northampton (Mr. Gilpin) belong to a peculiar sect, require a seizure to be made, in all ordinary cases the minority yield. In those cases in which church rates are voted, I venture to say, that but for emissaries sent down from London to sow discord in parishes the rates would be collected with as great facility and readiness as the poor or highway rates. I cannot help saying, when special instances are brought forward and the names of persons are held up to execration in this House for having enforced obedience to the law, that instances occur in which as much tyranny is exercised on one side as is ever charged against the other. We are told that the rights of conscience ought to be protected, and I heard with great pleasure the hon. Member for Nottingham, a few nights ago, allude to the Lord Mayor, a member of the Hebrew persuasion, as an eminent instance in which the rights of conscience had triumphed. Let me call attention to an instance where the rights of conscience are concerned—the case of a Churchwarden who took a great interest in the welfare of his church and attended a meeting where it was determined to raise a rate for the restoration of the church. A gentleman who was in the minority—his landlord—a strict and strong Dissenter, wrote to him as follows. The letters are signed by the name of Smith; the writer is not, therefore, likely to become so conspicuous as he otherwise might have been—

"Aslackby, Oct. 2.

"Dear Sir,—On due consideration on the subject of property and its responsibilities, I am obliged to come to the conclusion that it is the duty of every man to use the influence his property gives for the welfare of society at large, as well as for his own personal interest. In the great struggle now going on between what is called the Established Church and the Dissenters, the latter being the weakest, and having been so long oppressed, cannot afford to lose any influence they possess, and as you cannot remain neuter, I must request you to give up the occupation of the tenure you hold of me in Bicker. In taking this step I feel that I am but doing justice to myself, my family, and the public; nor can you complain of either injustice or hardship, seeing you have a sufficiently large occupation and ownership of land, and that you also expect your tenants to vote in support of your own principles. Hoping you are quite well, with Mrs. T. and family, and with every wish for your welfare, I am, dear Sir, yours truly, E. SMITH."

"Aslackby, Oct. 4.

"Dear Sir,—Were I to consult only my own feelings I should make no change at Bicker, but when I consider principles and responsibilities I am constrained to think and act differently. When I gave up business some eighteen or nineteen years back you were young, and wanted to start in the world, and being a relative of the family, I willingly helped; Mr. Jervis, also, seeing your industrious and business habits, favoured you, and eventually left you his property, which he never would have done to an untried man. As time passed on I had many scruples in conscience as to the right of you retaining the double occupation, especially as you had ownership in half. You know it has always been against my principles to add farm to farm. Then, again, I have always had a wish that the superstitions and delusions of the Established Church should be exposed to the poor and ignorant, and that they should not be deceived upon the all-important point of regeneration. I have, in fact, all along desired that the Gospel should be simply preached in Bicker, but have never had firmness to act upon these convictions. Late events have brought the subject more prominently before me, and I am persuaded it is my duty to use my utmost endeavours for the spiritual as well as the temporal welfare of those who from their locality had a claim upon every enlightened landowner, and this I cannot do while you occupy my land. As a member of the Established Church you have acted consistently, and I hope you will continue so to do while you attach yourself to that party. As a Dissenter I have not been so consistent hitherto, but I hope henceforth to carry out my principles with due energy. I have to thank Mr. Fletcher and yourself for arousing me to duty. As you have served Mr. Fletcher so faithfully, no doubt he will do what he can to find you further occupation if you need it, as you imagine, for your increasing family. But if you need it, what must some thousands in this land need who are wanting land and cannot get hold of a few acres even? I hope your mind will be brought quietly to accept this new state of affairs as necessary to me, and not injurious to yourself. I once more repeat what I said to you yesterday, that it is from no change of feeling towards yourself personally, nor from reports of others, or management of the land, that I have done this, but for the aforesaid reasons, brought to a crisis by late events. That it is not the common practice of landlords thus to carry out their principles must not prevent me from doing what I believe to be right towards myself, my family, and society at large.—I am, dear Sir, yours truly, E. SMITH."

"Aslackby, Oct. 13.

"Dear Sir,—Will the afternoon of Tuesday next be a convenient time to meet you at the feu house? I may see you at the fair, and can arrange about any further day if the above-named time will not suit you. You must be aware that no part of the restoration of Bicker Church would have fallen upon me in the event of the money being borrowed, so that my brother's proposal does not meet the difficulties of the case. It is the principle I object to, as it affects other tenants and the public. On principle I cannot allow any part of my property to help in upholding a false system of worship which I detest. I am sure no Churchman would allow any part of his property to uphold any of those to him odious schismatic conventicles which are such an eyesore to him in the land. As our principles differ so widely upon this point, as well as upon the large occupation of land, it is best we should part as landlord and tenant. I shall always respect your integrity and independence, and shall be ready to help you in any way consistent with principle. I do not like your parson's interference in the matter. Please tell him to mind his own business and get the church repaired. I hope Mrs. T. is well.—Yours truly. E. SMITH."

"Aslackby, Oct. 24.

"Dear Sir,—I do not intend settling anything about the land at present, but cannot hold out hope of further occupation as you desire. This will depend upon circumstances which at present I need not explain to you. I am quite satisfied with your management of the land, and feel sure you will do what is right. I only wish our principles were not so antagonistic. Hoping Mrs. T. and family, with your mother and sister, are quite well, I am, dear Sir, yours truly,

"E. SMITH."

Now, I am far from saying that this is a common case; but when hon. Members single out certain persons, and bring their cases forward as the representatives of a whole class, and the mode in which the law is administered, I only offer it to the consideration of the House, in order that they may know what is done by single individuals on the other side which professes to be so tenacious of the rights of conscience. The hon. Member for Birmingham says he does not believe the Church is in danger. When I last spoke I said the Church was never less in danger, because the Church never discharged her duty better; but I cannot see how it would be for the advantage of the Church to give up the right she has of raising a fund for the maintenance of her fabrics and services because she possesses the power, and I fully believe in her power, to raise to any extent funds for spiritual purposes from the contributions of her own members. I never heard of Dissenters giving up any endowments their Church might possess in order to increase their voluntary contributions. On the contrary, I have found, when there was any dispute about such endowments—for instance, in the case of Lady Hewley's Charity—there was no one more keen, no one more eager, to get some portion of the spoil, than the hon. Member for Sheffield, the great Voluntary Apostle (Mr. Hadfield.) In upwards of 9,000 parishes in England £270,000 is raised in the form of church rates. The burden of sustaining the great bulk of the local charities falls already in these parishes on the clergymen, and I must must say I do not see how you could get rid of the rate without imposing a burden on the clergy which they are unable to bear. The question of church rates has undergone a great change since it was first argued in this House. Formerly but few grants were made of the public money for any religious purposes not connected with the Church of England, but now those grants have been largely increased. The hon. Member for Birmingham has mentioned some striking facts connected with the Principality of Wales with which I was certainly not acquainted. There can be no doubt that much religious enthusiasm pervades the Principality, and where such enthusiasm exists you will rarely find any great difficulty in obtaining means for the erection of fabrics and other purposes connected with Divine worship. But, if I am rightly informed, much of the money employed for the erection of chapels in Wales is not given, but is lent by speculative individuals on the mortgage of the pew-rents in those chapels. That is certainly a totally different thing from voluntary contributions for the building of churches in England. In the one case the money is a free and absolute gift; in the other it is regarded purely as an investment at a high rate of interest to be paid off by degrees. So profitable are these investments, yielding oftentimes as much as 7 per cent, that I am informed those who have lent the money are no sooner paid off than they transfer their capital, and so provide by re-investment for the building of other chapels. Then, again, with respect to Dissenting chapels. They are not open to the poor as churches belonging to the Established Church are ["No, no!"] but are let out in pews, and are supported and frequented by seatholders. Really I do not wish to say anything that can be regarded as disagreeable or offensive by Gentlemen who differ from me in religious opinions, but I have always understood this to be the fact, and I believe it has been shown by Dr. Hume that Dissenting chapels will not answer in poor districts where the population cannot afford to support a seat rent. I understand it is a fact, and a fact easy to be proved, that Dissenting chapels have not been found to answer in impoverished neighbourhoods, and that where such have been established they have in very many instances been removed to more prosperous places. The hon. Member for Birmingham has promised peace as the result of the abolition of church rates, and says that in Rochdale and Manchester that result has been secured. But I apprehend that in Rochdale and Manchester this peace was secured under the present law—by the majority refusing to concur in the church rate.

MR. BRIGHT: The majority was in favour of the rate, but such was the state of feeling against it that it was found impossible to levy it. The rate was, therefore, abandoned.

MR. GATHORNE HARDY: It was then in consequence of the generally hostile spirit exhibited towards the collection of the rate that circulars were issued stating at the top that the rate was voluntary and not compulsory. But then the same process is open to any parish that chooses to adopt it. What we protest against, however, is the tyranny of one part of the country over another. My hon. Friend (Mr. Hardcastle) says, "There are many large parishes where church rates are abolished." We reply, "There are many small places where they are collected, and collected with facility;" and we ask, "Why do you come and seek to force us by your tyranny to act as you do?" Why interfere with local government, the government by majorities, which I believe to have been so conducive to the liberties of this country? But the question has to-day assumed a rather remarkable aspect. I understand the position of the hon. Member for Birmingham. He puts before us a plan which he put forward four years ago. But then the Chancellor of the Exchequer has also placed before the House a plan which the hon. Member for Birmingham does not understand, but would be glad to interpret as agreeing with his own. But, then, the right hon. Gentleman the Chancellor of the Exchequer announces his plan in the capacity of a private Member. He has, however, ceased to occupy that position. He is the representative of the Government, the acknowledged leader of the House, and as such ought to frame his scheme into a Bill so that the House may have a fair opportunity of giving it consideration. It seems extremely inconvenient to debate a scheme not before the House on a Bill proposing the abolition of church rates, and to be told that the vote of the leader of the House depends not upon the nature of the Bill itself, but upon some statements which may be made by the Mover of the Bill at the conclusion of the debate. We are to be left at the mercy, not of the right hon. Gentleman who is to guide us in our deliberations, but at that of the hon. Member for Bury (Mr. Hardcastle), who, with all due respect, cannot expect or claim to be treated as the leader of this House. The right hon. Gentleman the Chancellor of the Exchequer by his speech, as I understood it, was opposed to the present Bill for the simple abolition of the rate, acknowledging that the abolition of church rates would entail grievous burdens upon the clergy of the smaller parishes, and the right hon. Gentleman went on to shadow forth something which I regarded as akin to the proposal of the hon. Member for Birmingham, but which was expressed so ambiguously that I could not be certain that I had understood it correctly. I think, therefore, that if the leader of this House believes there is a plan by which a settlement can be arrived at in a matter of so much importance, he ought to frame that scheme into a Bill and submit it to this House for consideration. The hon. Member for Bury will certainly be—if I may use so vulgar an expression—the greenest of mankind if he does not at the conclusion of this debate say something that will secure for his proposal the vote of the Chancellor of the Exchequer. The hon. Member endeavours to get a decision of the House that nothing could be done towards the settlement of the question till church rates are abolished. That is what we can never consent to. I must point out, however, that the decision of the House, if this Bill be read a second time, will practically amount to the declaration of the principle that nothing can be done for the settlement of this question until church rates are abolished. That I repeat is a principle to which we can never give our concurrence. I have no hesitation in admitting, with the right hon. Gentleman the Chancellor of the Exchequer, that where there is no religious accommodation for the people there ought to be no church rates. Where room does not exist for the accommodation of those who desire to go to church, church rates, if levied at all, would, in my opinion, be levied unjustly. My impression is, that if the time should come when more room is wanted without resorting to church rates, you will find persons willing to put the churches in a fit condition to receive the population by contributing for that purpose. I will not, however, admit that there is any injustice in the present mode of levying church rates. I contribute without hesitation or scruple to the public funds from which grants are made for the support of Roman Catholic colleges, schools, and for religious endowments unconnected with the Church of England. If I were residing in Scotland, though I should still retain my attachment to the Church here, I should not scruple to contribute towards the support of the Established Church of the country, and should do so without any violence to my conscience. I wish to know from hon. Members opposite, who are going to vote for the second reading of this Bill, whether they are sincere in their opposition to church rates? Is their support given to the measure in order to redeem pledges which they have made to their constituents, or do they support the Bill because in their consciences they believe church rates to be prejudicial to the welfare and success of the Church of England? If they believe church rates to be prejudicial to the Church of England, I want to know why for these many years their voices have never been raised against them in their own parishes for the purpose of getting rid of them. I want to know why on every occasion you can rely on each hon. Gentleman in his own parish as a supporter of rates if he believes church rates to be prejudicial? I believe they are as much attached to the Church of England as I am—that they sincerely desire her welfare and desire to promote her interests. But when their conduct here is in opposition to their conduct at home, I have a right to ask them whether it arises from hustings' pledges or conscientious convictions. With respect to the Church of England I have no fear of her. It is not the trumpery £270,000 a year on which the Church depends. We have been told that this is not a question between Church and State, that it is but a stepping-stone in that direction, and that it will require enormous strides to get to a more distant place. But it is a step; and I now call upon hon. Members who know and who feel that the abolition of church rates would not advance the cause of truth and righteousness to advocate in the House of Commons the principles which they advocate in their own homes and in their own hearts.

Sir THOMAS LLOYD said, he must apologize for trespassing, however briefly, on the attention of the House. He wished to say, however, that if he were apprehensive that the vote he was about to give would be prejudicial to the interests of the Church of England, of which he was an attached member, no political considerations, however urgent, would induce him to do so. If, moreover, he believed that this measure was but a step towards the separation of Church and State, he should be the last man in the House to consent to it. But there were two considerations which influenced him on the present occasion—first, the interests of the Church herself; and, next, the question of justice to the Nonconformists of the kingdom. It was an anxiom of sound legislation that for the maintenance and well-being of existing institutions Parliament must be prepared to redress any well-grounded grievances which might be shown to exist. The question then arose whether church rates were really a grievance? In his opinion they were. He admitted that this had not always been the case, for, at the remote period when church rates were first instituted, there was a practical uniformity of belief throughout the kingdom. Some millions of our fellow-subjects now dissented from the Church of England, and he would ask the House whether it was for the interests of the Church that they should allow a rankling sense of injustice to remain in the minds of this numerous class, and from want of timely concession number among the Church's foes those who, under different treatment, might have been retained as friends? There were those who regarded church rates principally as an honourable badge of distinction in connection with the State, and who maintained that if church rates were abolished the Church would be ruined. Now, he granted that at no previous period had the Church of England a greater hold on the affections of the people, but this he attributed not to external ornament, but to her intrinsic worth, to the beauty of her Liturgy, the comprehensiveness of her Articles, and he would add to the piety and activity of her clergy. The House might feel interested in hearing a few statistics connected with the county which he had the honour of representing (Cardiganshire.) The population of the county of Cardigan was for the most part poor, and numbered 97,614. There existed religious provision for 97 per cent; of that the Dissenters provided 70·4 per cent, the remaining 27·8 being provided by the Church of England. The proportion of Dissenters to Church people was nine to one; the number of chapels 192, the number of churches 68. The free-will offerings of the Nonconformists for religious purposes might be fairly estimated at an annual sum of £13,000. He merely cited these figures to prove the zeal of his countrymen for their religious belief. There had been of late rumours of approximation between the Church of England and the Greek and Roman Churches, but a much more practical approximation might be effected at home, and if Parliament decided to abolish church rates, a great barrier would be removed to the union of the various Protestant communities in this great country.

Mr. MORLEY said, he desired to say a few words to the House as he had been particularly alluded to during the debate. He earnestly desired that the olive branch held out might be accepted. The vast majority of the Dissenters of this country regarded this subject, not as a political, but purely as a religious question, and thousands of the Nonconformists throughout the country would, he believed, hail with pleasure such a settlement of the question as that proposed by the Chancellor of the Exchequer. Allusion had been made to the evidence which he gave before the Committee of the House of Lords, and he might state that when summoned before the Committee he had no knowledge of the precise subject upon which he was to be examined. He was met on appearing before the Committee by the Bishop of London with the report of the Liberation Society in his hand, and, without desiring to impute any motive to that distinguished personage, the whole thing appeared to be done for a purpose. A great number of the Dissenters of this country regarded, as he did, the property of the Church as the property of the nation—property with which the House was entitled to deal, but he did not believe that one Dissenter in a thousand desired to touch a shilling of the Church property. The question that not only Dissenters were asking, but others, too, with an emphasis which could not long remain unanswered, was, How, with a Church confessedly the richest in the world, millions of our population were living beyond the influence of religion? He was glad to acknowledge that at no former period in the history of the English Church had she among her clergy so many true-hearted and earnest men as were now preaching her doctrines and ministering to the spiritual and religious welfare of the people. But such men for the most part knew little, and cared little, about church rates; they were men who loved the flock more than the fleece, whose sole aim was to preach the Gospel, and tend to the religious instruction and guidance of the people, and who in furtherance of that object had, by invoking the co-operation of the laity, resorted to organizations which might almost be regarded as non-ecclesiastical. Dissenters would be delighted to see the Established Church taking the lead in efforts for promoting the spiritual good of the people. Religion had been marred in this country by the interference of the civil power, and it was a great question that was being discussed by the public, whether the Church was to continue her work through organizations, the outgrowth of her own religious life, or through organizations provided for her by the civil power. The House would excuse his speaking warmly upon a subject in which he felt deeply interested. He would accept with pleasure the proposal of the Chancellor of the Exchequer, and if hon. Members were honest in desiring to see an end to the conflicts which had continually arisen upon this subject they would support the second reading of the Bill, and so secure for themselves an opportunity of considering the proposal which had fallen from the right hon. Gentleman.

MR. HARDCASTLE said, he would consent to no proposal which should in the slightest degree interfere with the main principle of his Bill. That principle was, the abolition of church rates; but if that were sanctioned he would, at a future stage of the Bill, entertain, with the greatest respect and consideration, any proposal that might be made embodying what had been foreshadowed in more that one direction that day. If the second reading of the Bill were passed and the principle of the Bill affirmed he would be glad to take into consideration any suggestion which might be made to him.

MR. DISRAELI: Sir, I only rise to warn hon. Members not to fancy they are voting on one issue when they are really voting on another. The question before the House is the second reading of a Bill for the total, immediate, and unconditional abolition of church rates. That is the real and only issue. The speech of the hon. Member for Nottingham (Mr. Morley), which, for its frankness, does him great credit, acknowledges that there is another issue before the House worthy of consideration, and, from the cheers that expression received from the friends of the hon. Member, I assume that they adopt that interpretation of the position in which the matter stands. If that be the case, the consistent course for the hon. Member for Bury to adopt is to move the adjournment of the debate, and take an opportunity that the sense of the House may be had on the real proposition before it, and not on one which, at the very time when the question is called to a division, is explained with so many versions that there exists a variety of opinions as to its exact import. I will not offer my own interpretation of the observations of the Chancellor of the Exchequer, because they really have nothing to do with the question now before the House. If the scheme of the Chancellor of the Exchequer be worthy a decision of the House, let it be placed before the House in a manner which cannot be mistaken, and, coming from such a quarter, I am sure it will meet with a full consideration and adequate discussion. But I protest against schemes of that character proceeding from the highest authority in the House being introduced to disturb the debate and distract the House from the real issue—an unwise issue, I believe, on the part of those who raise it, but, being raised, it must be accepted and met—namely, the proposition for the total and immediate abolition of church rates. That is a policy to which I am entirely opposed, and it is the only question before the House.

Question put, the House *divided*:—The Tellers being come to the Table, Mr. Walpole, one of the Tellers for the Noes, stated that Mr. Percy Wyndham, one of the Members for the Western Division of the County of Cumberland, had not voted, though he had been in the House when the Question was put; Whereupon Mr. Speaker directed the honourable Member for the Western Division of the County of Cumberland to come to the Table, and asked him if he had heard the Question put, and the honourable Member having stated that he had heard the Question put, but found the door locked before he reached the Left Lobby, and having declared himself with the Noes, Mr. Speaker directed his name to be added to the Noes:—The Tellers accordingly declared the numbers, Ayes 285; Noes 252: Majority 33.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 9th May.

AYES.

Acland, T. D.
Adair, H. E.
Adam, W. P.
Agar-Ellis, hon. L.G.F.
Agnew, Sir A.
Allen, W.S.
Andover, Viscount
Anstruther, Sir R.
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Barclay, A. C.
Baring, hon. T. G.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Barry, G. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Biddulph, Colonel R. M.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brand, hon. H.
Brecknock, Earl of
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Bruce, rt. hon. H. A.
Bryan, G. L.
Bulkeley, Sir R.
Buller, Sir A. W.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Calthorpe, hn. F.H.W.G.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord F. C.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clifton, Sir R. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, G.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowper, hon. H. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillon, J. B.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Ellice, E.
Enfield, Viscount
Erskine, Vice-Adm. J.E
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. C.
Fawcett, H.
Fenwick, E. M.
Fildes, J.
Fitzwilliam, hn.C.W.W.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Foster, W. O.
Fortescue, hon. D. F.
French, Colonel
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, F. D.
Goschen, G. J.
Gower, hon. F. L.
Gower, G. W. G. L.
Graham, W.
Gregory, W. H.
Grenfell, H. R.
Greville, A. W. F.
Greville, Colonel F.
Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Earl
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hanbury, R. C.
Hankey, T.
Harris, J. D.
Hartington, Marquess of
Hartley, J.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hutt, rt. hon. Sir W.
Ingham, R.
Jervoise, Sir. J. C.
Johnstone, Sir J.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Laing, S.
Layard, A. H.
Lawrence, W.
Lawson, J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lloyd, Sir T. D.
Locke, J.
Lowe, rt. hon. R.
Lusk, Alderman A.
MacEvoy, E.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
Maguire, J. F.
M'Laren, D.
Marjoribanks, D. C.
Marsh, M. H.
Marshall, W.
Martin, C. W.
Martin, P. W.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
Morley, S.
Morris, M.
Morris, W.
Morrison, W.
Neate, C.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
Ogilvy, Sir J.
Oliphant, L.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Parry, T.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Portman, hn. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, W. P.
Pryse, E. L.
Pugh, D.
Rawlinson, Sir H.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron M de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, Sir W.
St. Aubyn, J.
Samuda, J. D'A.
Samuelson, B.
Schneider, H. W.
Scholefield, W.

Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. B.
Speirs, A. A.
Stanley, Lord
Stanley, hon. W. O.
Steel, J.
Stock, O.
Stone, W. H.
Stuart, Colonel C.
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Taylor, P. A.
Tite, W.
Tomline, G.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. H.
Traill, G.
Trevelyan, G. O.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Waring, C.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyld, J.
Wyvill, M.
Young, A. W.
Young, R.

TELLERS.

Hardcastle, J. A.
Gilpin, C.

NOES.

Adderley, rt. hon. C. B.
Akroyd, E.
Annesley, hon. Col. H.
Anson, hon. Major
Arkwright, R.
Baggallay, R.
Bagge, W.
Bagnall, C.
Baillie, H. J.
Baring, hon. A. H.
Baring, T.
Barnett, H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Bernard, hon. Col. H. B.
Bingham, Lord
Bourne, Colonel
Bovill, W.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Bruce, Lord C.
Bruce, Major C.
Bruen, H.
Buckley, E.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Campbell, A. H.
Cartwright, Colonel
Cave, S.
Cavendish, Lord G.
Cecil, Lord E. H. B. G.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Courtenay, Lord
Cranbourne, Viscount
Crosland, Colonel T. P.
Cubitt, G.
Curzon, Viscount
Cust, hon. C. H.
Dalkeith, Earl of
Dawson, R. P.
De Grey, hon. T.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Edwards, Colonel
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Colonel H. H.
Fane, Colonel J. W.
Farquhar, Sir M.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Ferrand, W.
Fleming, J.
Floyer, J.
Forester, rt. hon. Gen.
Gallwey, Sir W. P.
George, J.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, D.
Goodson, J.
Gore, J. R. O.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Gray, Lieut.-Colonel
Griffith, C. D.
Guinness, B. L.
Hamilton, Lord C.
Hamilton Lord C. J.
Hamilton, I. T.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Harvey, R. B.
Hervey, Lord A. H. C.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Herbert, hon. P. E.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hodgson, W. N.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Humphery, W. H.
Hunt, G. W.
Jolliffe, rt. hn. Sir W. G. H.
Jolliffe, H. H.
Kearsley, Captain R.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Leader, N. P.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Long, R. P.
Lopes, Sir M.
Lowther, J.
Lytton, rt. hn. Sir E. L. B.
M'Lagan, P.
Mainwaring, T.
Manners, rt. hon. Lord J.
Manners, Lord G. J.
Meller, W.
Miller, S. B.
Miller, T. J.
Mills, C. H.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Nicol, J. D.
Noel, Hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Packe, C. W.
Packe, Colonel
Paget, R. H.
Pakington, rt. hon. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Peel, rt. hon. General
Peel, J.
Pennant, hon. Colonel
Percy, Maj-Gen. Lord H.
Phillips, G. L.
Powell, F. S.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, S. G.
Somerset, Colonel
Stanhope, J. B.
Stanhope, Lord
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stuart, Lt.-Colonel W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, J. H.
Thynne, Lord H. F.
Tollemache, J.
Torrens, R.
Tottenham, Lt.-col. C. G.
Treeby, J. W.
Trefusis, hon. C. H. R.
Trevor, Lord A. E. H.
Trollope, rt. hon. Sir J.
Turner, C.
Tyrone, Earl of

Walcott, Admiral
Walker, Major G. C.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.

Walpole, rt. hon. S. H.
Du Cane, C.

THEATRICAL LICENCES AND REGULATIONS.

Select Committee on Theatrical Licences and Regulations [*Feb.* 28] *nominated:*—Mr. Goschen, Mr. Walpole, Lord Eustace Cecil, Lord Ernest Bruce, Sir Arthur Buller, Mr. Clay, Mr. Clive, Mr. Du Cane, Mr. Locke, Mr. Lusk, Mr. Taverner John Miller, Mr. O'Beirne, Mr. Powell, Mr. Selwin, and Colonel Sturt:—Power to send for persons, papers, and records; Five to be the quorum.

MINES.

Select Committee on Mines [*Feb.* 15] *nominated:*—Mr. Bruce, Mr. Liddell, Mr. Neate, Mr. Greenall, Mr. Fawcett, Sir Philip Egerton, Mr. Kinnaird, Mr. Powell, Mr. Ayrton, General Dunne, Mr. Clive, Mr. Ferrand, Mr. Hussey Vivian, Viscount Cranbourne, and Mr. Woods:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at Five o'clock.

* * *

HOUSE OF LORDS,

Thursday, March 8, 1866.

MINUTES.]—Several Lords took the Oath.

Public Bills—*First Reading*—Consolidated Fund (£1,137,772)*; Princess Helena's Annuity* (39); Prince Alfred's Annuity* (40); Qualification for Offices Abolition* (41); Salmon Fisheries (Scotland)* [H.L.] (42).

Committee—Cattle Plague (33).

Report—Divorce and Matrimonial Causes* (17); Cattle Plague* (43).

Third Reading—Cattle Plague* (43); Savings Banks and Post Office Savings Banks* (31).

CATTLE PLAGUE BILL.

(*The Lord President.*)

(Nos. 27, 33, 33*). COMMITTEE.

[The Amendments made by the Select Committee, by the omission, alteration, and insertion of clauses, were so numerous, that it is difficult to follow the exact course of the discussion in the Committee.]

House in Committee (according to Order).

Earl GRANVILLE said, he should ask the House to consent to the re-arrangement of the clauses of the Bill, because it had been so altered in the Committee of the House of Commons and in the Select Committee, that the clauses relating to the primary object of the Bill were inconveniently scattered.

Several clauses, the omission of which was proposed by the Select Committee, were *struck out;* several new clauses proposed to be inserted by the Select Committee, were *agreed to,* and ordered to stand part of the Bill:—Clauses *struck out.*

Clause 14 (Penalty for moving contrary to Act).

Earl GREY instanced a case of peculiar hardship, in which a boy charged with infringing the law in reference to the cattle plague was fined, the master, although the boy had acted by his directions, refusing to pay the penalty. He therefore proposed the insertion of words giving the magistrates power under such circumstances to summon the master, and impose the penalty upon the person by whose orders the law was infringed, instead of on the person actually committing the offence.

Clause *postponed.*

Clause E (Continuation of Part I. of Cattle Diseases Act).

The Duke of RICHMOND said, their Lordships had recently passed an Act by which the slaughter of infected cattle was rendered compulsory until the 15th of April. The effect of the clause now before the House was to repeal the powers of the Privy Council given under the 12th section of the previous Act. He therefore proposed to amend the clause by giving power to the Privy Council to continue the compulsory slaughter clause of the previous Act after the 15th of April, in case they should think fit to do so, with certain qualifications; so that instead of giving the Privy Council a discretionary power at once to discontinue compulsory slaughter, in the terms of the clause, his Amendment would defer that discretionary power until after the 15th of April.

Amendment proposed.

In Clause E., added by the Select Committee, *moved* to leave out ("Notwithstanding anything in The Cattle Diseases Prevention Act, 1866, it shall be lawful for the Lords of Her Majesty's Privy Council from Time to Time by Order to") and insert ("Her Majesty may in continuing from Time to Time, or renewing if expired, the Provisions of Part I. of The Cattle Diseases Prevention Act, 1866, relating to the Slaughter of diseased Animals.")—(*The Duke of Richmond.*)

Earl GRANVILLE said, he was anxious that there should be as little alteration as possible in the Bill, which had passed the Select Committee after much care had been bestowed upon it; but the clause proposed to be amended was in direct opposition to a decision to which the House came by a very large majority a few days ago. The clause as it stood would place the Privy Council in a most invidious position, for they could scarcely exercise the power proposed to be given to them in the face of what had passed. The slaughtering clause had been adopted by a very large majority in both Houses, and yet it was sought to give the Privy Council for the next four or five weeks a discretion to relax that power of slaughter, though it was almost impossible that within those few weeks any new facts could arise to make that relaxation necessary. It was quite reasonable that the executive Government should have some discretion in order to give elasticity to the working of the Bill as new circumstances became known; but it would be useless to give such a power for a few weeks only.

The Duke of MARLBOROUGH said, the effect of the Amendment would really be to reverse the decision of the Select Committee, and to bring the clause back to the form in which it originally stood. He was responsible for the present clause, which was to the effect that the Privy Council should act at once, without waiting until after the 15th of April, when the indiscriminate slaughter might cease. The question of indiscriminate slaughter had been very carefully considered by the Committee, and this clause, after an hour's deliberation, was adopted by nine votes to seven. There was scarcely an instance in which a Bill referred to a Select Committee had undergone more important and extensive alterations. The whole construction had been altered, and a totally new principle adopted. The noble Duke who proposed to amend the clause said that the 12th clause of the former Act, giving a power of indiscriminate slaughter, had been approved by both Houses of Parliament; but it should not be forgotten that the Bill by which that was enacted was passed so rapidly that there was no time for its consideration by Members, or to ascertain the opinion of the country upon the subject; and as it now appeared that there were quite as many against as in favour of indiscriminate slaughter, he thought he was justified in the Amendment which the Committee had adopted. When the Government Bill was proposed Parliament was called upon to legislate in a panic, and, as a last resource, this remedy was seized to arrest the progress of the disease. At that time the disease was spreading rapidly and no cure for it was known, but since then the circumstances had greatly altered. Of late letter after letter had appeared in the newspapers deprecating indiscriminate slaughter. It was stated, in the first place, that in foreign countries, where the disease was thoroughly known and where the mode of treating it was properly understood, it was the practice to distinguish between animals that should be slaughtered and those that should be saved. It was important that the Committee should understand the ground upon which they were going to decide, since upon their decision would depend the lives of a great number of very valuable cattle in different parts of the country. What were the recommendations of the Royal Commissioners upon this subject, as contained in their first Report? They said, in reference to the power of slaughter—

> "This power is right and useful when the disease has appeared only at isolated spots, and attacked a few animals; the public benefit is then very great, and the private sacrifice small; but in proportion as it extends the hope of thus arresting its march diminishes, the inevitable waste increases, and the sense of hardship tends to become insupportable."

Truer remarks were never made. The compensation provided by the other House in no case met the requirements of the case. As the disease spread and animals were carried off the value of the living animal became greater, and he knew that animals in Cheshire formerly worth £10 or £15, would now fetch £50. The Commissioners also said—

> "When the disease has widely diffused itself, and disappears at one point only to appear at another, the difficulties of isolation become greater, and the chances of its being efficacious less."

Isolation was, therefore, the concomitant of a system of slaughter. There could be no more accurate description than that the disease disappeared at one point only to appear at another. It had re-appeared where slaughter had been adopted especially in Scotland, where the system of slaughter had been greatly relied on and many counties which had not resorted to slaughtering had not suffered more than those that had relied upon it. He did not ask the Committee to stop the system of slaughtering, as there might be cases in which slaughtering was necessary; but he asked the Committee to give a discretion to local authorities. The whole structure of the Bill was based upon the principle that discretion was to be allowed to local authorities; and it was highly important that the slaughtering of animals and the rating of owners for compensation should be left with those authorities. It was apparently lame legislation to pass without sufficient evidence a stringent measure, applying generally to the whole country, to kill at one fell swoop the most valuable animals in price and for breeding purposes. Most valuable cows belonging to a tenant of his which might never have taken the disease had been destroyed, simply because the local authorities had felt impelled by the stringent nature of the Act to strain its clauses to the utmost, if not to exceed the power the Legislature intended them to exercise. He therefore asked their Lordships, in the first place, to maintain the decision of their Committee; and, next, to maintain the principle on which it was founded by giving discretion to local authorities. Nothing could be more unadvisable than to have a statute which local authorities might consider they were not bound to carry out because of its stringency; and he was told that some magistrates in the north of England had determined to invest their officers with discretion, because it would require a regiment of soldiers to enforce the law. He had prepared a clause which he would move, if it was the opinion of the Committee that such discretion should be allowed. Instead of leaving it to the Privy Council to grant discretion, he would propose that the local authorities should exercise the power of sparing animals likely to recover, notwithstanding anything to the contrary in the Cattle Diseases Act. If their Lordships would rescind the clause in the Bill be would propose a clause to the effect stated.

THE DUKE OF ARGYLL said, he thought the form of discretion proposed by the clause as it stood was more objectionable than either of the propositions of the two noble Dukes, and he should be prepared, if the clause were withdrawn, to vote for a clause giving discretion to the local authorities. The experiment which it was desired to try by the 15th of April was not being tried, and would not be tried. In Cheshire, in Forfarshire, and in another county, magistrates had formally resolved that they would not instruct the inspectors to slaughter convalescent cattle. An experiment of the kind could not be tried without the co-operation of the local authorities; and, whatever the Legislature might decide by an Act, they were at the mercy of the local authorities even more than they were under Orders in Council, because under Orders a part of the payment came from the Government, whereas under an Act inspectors and others were absolutely servants of the local authorities. How could it be expected that they would do that which they considered unjust and injurious? He had heard of farmers who would not allow their cattle to be slaughtered except by compulsion. As it would be injurious to impose penalties upon a great number of poor persons for violating the law, and as it would bring legislation into contempt to have boards of magistrates declaring they could not put the law in force, he should vote for giving discretion to local authorities.

LORD LYVEDEN hoped the noble Duke would see the advantage of adhering to the decision come to by the Select Committee, and would not propose what they had negatived.

LORD KINNAIRD said, he had given notice of an Amendment—

> "That the Committee of the Lords of the Privy Council shall have power to authorize the suspension or relaxation of any of the Provisions of this Act, or of the Cattle Diseases Prevention Act, on the application of the local authority in any of the counties in Scotland; the same to be published in the *Gazette* and in the local newspapers of the County,"

because he felt there had been a change in public feeling. The resolution in favour of slaughter was carried at the Perth meeting by a small majority, an amendment which he proposed being negatived, and when the Highland Society adopted the petition which had been presented, it was taken by surprise, and many who were in favour of it were now earnestly entreating Parliament not to give effect to what had been their wish. The principal promoter of it now wrote—

> "In despair at the apparent apathy of the many, I became a convert to the kill and compensate theory. I now have gone back to the idea that with breeding stock it will only add to the calamity, and the cry immediately must be 'Stop the slaughter.'"

He had a still stronger letter from another member of the Highland Society, who said—

> "The interest your Lordship is well known to take in the cattle plague will, I hope, excuse my addressing you on the subject. Though I have, from the first, supported the 'stamping-out' system, if carried out under certain conditions

> not embodied in the new Bill, and consequently have been an opponent to the system of which your Lordship has been the consistent advocate, I have now, from experience, been obliged to change my views. I have, by following the treatment recommended by your Lordship, been so fortunate as to see a good proportion of my stock recover, and this has also been the same case among my neighbours who have pursued the same course. A large percentage has recovered and is recovering in this district, and the disease appears to be assuming an increasingly mild type. Under these circumstances, it is natural that we live in constant fear of the new Act coming into operation. Its provisions will, if rigidly enforced, sweep off the remnant of our stock, of which, speaking from my own experience, from one-half to two-thirds might otherwise be saved. Were the sacrifice likely to conduce to the benefit of others, it might be patiently borne, but it is difficult to see how the slaughter of only the animals actually seized can extinguish the disease, which must continue to linger in our herds until they are sent to grass, when all control over them will cease. The almost universal feeling in this district is hostility to the Bill, and a determination to resist its provisions by every means. It will confer a great benefit on us if your Lordship would be pleased to exert your influence to get the slaughtering clause of the Act modified or its action postponed, which would be the means of saving a great deal of valuable stock."

Now, that letter was written by a tenant-farmer, who belonged to the class of persons of whom the local authority would be composed. How, then, could it be expected that the law would be carried out? Numerous instances had occurred in which herds had been saved by proper treatment, and it ought to be borne in mind that the power of slaughtering animals was placed in the hands of inspectors who were quite ignorant of the nature of the disease. Many animals which were supposed to be attacked by the cattle plague had been, in reality, suffering from other complaints. There certainly ought to be some discretion vested either in the Privy Council or some other body, because some counties were placed in a very different position from others. In Forfarshire, for instance, it would be very hard if the farmers, who were also, for the most part, cattle dealers, were obliged to make a clean sweep of all their stock.

Earl SPENCER said, he was very sorry this subject had been again brought before their Lordships, for he thought the clause which had been carried on a previous evening by a very large majority was a most important one. He regretted to hear that the farmers in some parts of the country had changed their opinions on this subject. That change, however, had taken place because a mild form of the disease had broken out in those districts. Now, if animals were slaughtered in one county and allowed to remain alive in another, those who carried out the provisions of the Act would have all their efforts rendered null by their neighbours. That, he thought, would not be only unjust but impolitic. He might express his belief that if Baron Rothschild had adopted the "stamping out" system instead of Mr. Worms' method of treatment, he would not have lost so many animals as he had. In conclusion, he most strongly urged their Lordships to maintain the decision which they had arrived at the other night.

On Question, "That the words proposed to be left out stand part of the clause," their Lordships *divided*:—Contents 24; Not-Contents 57: Majority 33:—*Resolved* in the *Negative*.

On Question, Amendment *agreed to*.

CONTENTS.

York, Archp.

Buckingham and Chandos, D. [*Teller.*]
Marlborough, D. [*Teller.*]

Airlie, E.
Belmore, E.
Brooke and Warwick, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ellenborough, E.
Graham, E. (*D. Montrose.*)
Harewood, E.
Leven and Melville, E.
Romney, E.
Winchilsea and Nottingham, E.

Eversley, V.

Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Feversham, L.
Londesborough, L.
Lyveden, L.
Northwick, L.
Rossie, L. (*L. Kinnaird*)
Sheffield, L. (*E. Sheffield.*)
Skelmersdale, L.
Wharncliffe, L.

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Cleveland, D.
Devonshire, D.
Richmond, D.
Somerset, D.

Ailesbury, M.
Bath, M.
Camden, M.
Exeter, M.
Normanby, M.
Salisbury, M.

Albemarle, E.
Cadogan, E.
Carnarvon, E.
Chichester, E.
Clarendon, E.
Cowper, E.
De Grey, E.
De La Warr, E.
Derby, E.
Devon, E.
Ducie, E.
Granville, E.
Grey, E.
Hardwicke, E.
Harrowby, E.
Lichfield, E.
Lucan, E.
Minto, E.
Powis, E.
Shrewsbury, E.
Sommers, E.
Spencer, E.
Stanhope, E.
Tankerville, E.

Hawarden, V.
Hill, V.
Sydney, V.

Abinger, L.
Belper, L.

Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
Chelmsford, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Egerton, L.
Foley, L. [*Teller.*]
Houghton, L.
Keane, L.
Kilmaine, L.
Monson, L.
Mostyn, L.
Overstone, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Silchester, L. (*E. Longford.*)
Stratheden, L.
Sundridge, L. (*D. Argyll.*)
Walsingham, L.

The DUKE of MARLBOROUGH proposed a clause to follow Clause E—

(Power for Local Authority to exempt from Slaughter Animals Recovering.)

"Notwithstanding anything in 'The Cattle Diseases Prevention Act, 1866,' it shall not be obligatory on any Local Authority to cause any Animal affected with the Cattle Plague within their District to be slaughtered in any Case where it is made to appear to the Satisfaction of the Local Authority, or of any Officer authorized in that behalf by them, that the Animal is likely to recover from the Attack of the Cattle Plague, subject, nevertheless, in every such Case to the Observance by the Person in whose Possession or Keeping the Animal affected is of all such Conditions as the Local Authority from Time to Time think fit to prescribe for the Purpose of securing the Isolation of the Animal affected."—(*The Duke of Marlborough.*)

THE EARL of ELLENBOROUGH supported the clause. What was the use of talking of Mr. Worms' medicine or any other medicine if Parliament declared that all cattle when once attacked by the disease must be slaughtered? He did not think we were justified in throwing up all hope and getting into a state of despair because it had pleased Providence to allow this plague to attack our cattle. It was our duty to endeavour to cure it and overcome the calamity. There was a letter from the Consul at Warsaw, which distinctly declared that the disease had been cured; and only the other day we heard of this remarkable occurrence:—Three-fourths of a herd were slaughtered because they had the disease, and, as well as he remembered, seven more were condemned. For some time these seven would not drink, but having been turned to water in which lime had been slaked, they did drink readily and were well in a few days. With such facts before us were we to say the disease was incurable? We should be guided by experience and not by learned disquisitions which required that a man must have read extensively before he could understand them. We never should get rid of this cattle plague till we had got rid of the plague of trusting to professors rather than to common sense.

THE EARL OF HARROWBY said, the question their Lordships had to decide at the moment was not whether the disease was curable, but whether, in the present state of our information on the subject, a destruction of the infected animals was not the more prudent course?

THE DUKE OF MONTROSE said, a recent return from Scotland stated that of 1,300 animals attacked 653, or nearly one-third, recovered.

After a short discussion, which was not audible,

On Question? their Lordships *divided*:—Contents 24; Not-Contents 50: Majority 26:—*Resolved* in the *Negative.*

CONTENTS.

York, Archp.

Buckingham and Chandos, D.
Marlborough, D. [*Teller*]

Normanby, M.

Airlie, E.
Belmore, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*) [*Teller.*]
Ellenborough, E.
Graham, E. (*D. Montrose.*)
Leven and Melville, E.
Romney, E.
Winchilsea and Nottingham, E.

Eversley, V.

De Tabley, L.
Feversham, L.
Londesborough, L.
Lyveden, L.
Northwick, L.
Rossie, L. (*L. Kinnaird*)
Skelmersdale, L.
Southampton, L.
Sundridge, L. (*D. Argyll.*)
Walsingham, L.
Wharncliffe, L.

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Cleveland, D.
Devonshire, D.
Richmond, D.
Somerset, D.

Ailesbury, M.
Bath, M.
Camden, M.
Exeter, M.
Salisbury, M.

Cadogan, E.
Carnarvon, E.
Clarendon, E.
Cowper, E.
De Grey, E.
De la Warr, E.
Derby, E.
Ducie, E.
Granville, E.
Grey, E.
Hardwicke, E.
Harrowby, E.
Lichfield, E.
Lucan, E.
Powis, E.
Shrewsbury, E.
Sommers, E.
Spencer, E.
Stanhope, E.
Tankerville, E.

Hawarden, V.
Hill, V.
Sydney, V.

Abinger L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Chelmsford, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Dartrey, L. (*L. Cremorne.*)
Egerton, L.
Foley, L. [*Teller.*]
Houghton, L.
Keane, L.
Kilmaine, L.
Monson, L.
Mostyn, L.
Overstone, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Silchester, L. (*E. Longford.*)
Stratheden, L.

Clauses 28 to 31, as amended, *agreed to.*

Clause 32 *struck out*:—Clauses 33 to 35 amended, and *agreed to*:—Clauses 36 to 38 *struck out*:—Clauses 39 and 40 amended, and *agreed to*:—Clause 41 *struck out*:—Clause 42 amended, and *agreed to.*

EARL GREY proposed the insertion of a clause, authorizing the justice to cause Employer to be summoned in certain cases instead of the person who has acted under his orders.

Clause *agreed to,* and *added* to the Bill.

THE EARL OF LICHFIELD *moved* to insert the following Clause before Clause 43:—

From and after the End of Seven Days next after the Day of the passing of this Act, no Market, Fair, Public Auction, Exhibition, or Public Sale of Cattle shall be held; subject, nevertheless, to the following Provisions:—

1. At any Time after the First Day of July One thousand eight hundred and sixty-six the Privy Council may, by Order, on the Application of any Local Authority, suspend the Prohibition contained in the present Section within the District of that Local Authority, or any Part thereof; and the Privy Council may at any Time vary or revoke, and may from Time to Time renew, any such Order of Suspension:
2. The Prohibition contained in the present Section shall not prevent the Holding in Liverpool or Glasgow of any Market, Fair, Auction, Exhibition, or public Sale of Cattle imported there directly from Ireland; but if at any Time the Cattle Plague exists in Ireland, the Privy Council may, by Order, extend the Prohibition contained in the present Section to Liverpool and Glasgow, or either of them, temporarily or otherwise, and the Privy Council may at any Time vary or revoke, and may from Time to Time renew, any such Order of Extension.—(*The Earl of Lichfield.*)

EARL GRANVILLE regretted that the noble Earl had been unable to be a member of the Select Committee, by whom this question of the prohibition of fairs and markets had been fully discussed, and rejected by a majority of nine to six. He trusted that their Lordships would support the decision of the Committee. It would be impossible to carry out one uniform system throughout the country unless the local authorities were with them, and it appeared to him not to be desirable to fetter the action of the Privy Council in the manner proposed by the noble Earl.

EARL SPENCER said, he had framed clauses to nearly the same effect, and therefore concurred in the clause proposed by his noble Friend (the Earl of Lichfield), because he believed that great danger would be incurred by purchasing cattle, and especially store stock, during the summer months in fairs and markets. The experiment of permitting a fair for the purpose of selling store cattle had been tried at Barnet, but the regulations adopted on the occasion had entirely broken down, notwithstanding the presence of a large body of mounted inspectors; and the result was that the disease had been extended by means of that fair. He thought that after the experience we had lately gained we need be under no fear as to the practicability of large towns being supplied through dead-meat markets; and, in his opinion, it would be advisable to adopt that system generally, as, besides the danger of extending the disease incurred in bringing the cattle up to the metropolitan market, the flesh of animals that had been put to torture in railway trucks, or which had been overdriven, was not nearly so fit for human food as was that of healthy cattle which had been killed in pure country air. For instance, he had been informed that meat killed in Aberdeenshire and sent up to the metropolitan markets would keep longer even in the summer months than meat which had been killed in London; and in these days of telegraphs and of railways not the slightest difficulty would be experienced in supplying London entirely with meat which had been killed in the country. He attributed the slight rise in price of the best descriptions of beef during the last two days to be owing to the system not yet having got into working order.

On Question? Their Lordships *divided*:—Contents 24; Not-Contents 22: Majority 2:—*Resolved* in the *Affirmative.*

Clause *added* to the Bill.

CONTENTS.

Buckingham and Chandos, D.
Cleveland, D.

Bath, M.
Normanby, M.
Salisbury, M.

Belmore, E.
Derby, E.
Ducie, E.
Graham, E. (*D. Montrose.*)
Grey, E.
Harrowby, E.

Lichfield, E. [*Teller.*]
Powis, E.
Romney, E.
Spencer, E. [*Teller.*]

Hawarden, V.
Hill, V.

Belper, L.
Monson, L.
Northwick, L.
Redesdale, L.
Southampton, L.
Stratheden, L.
Walsingham, L.

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)
Richmond, D.
Somerset, D.
Ailesbury, M.
Airlie, E.
Clarendon, E.
De Grey, E.
De La Warr, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Granville, E.
Hardwicke, E.
Leven and Melville, E.
Lucan, E.
Winchilsea and Nottingham, E.
Sydney, V.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
De Tabley, L.
Foley, L. [*Teller.*]
Lyveden, L.
Mostyn, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Sundridge, L. (*D. Argyll.*)

Clauses 43 to 53, inclusive, *agreed to.*

Clause H (Power for Privy Council to require Statistical Returns of Cattle).

On the Motion of The Earl of Powis Amendment made relieving the Local Authorities from the cost of making the Statistical Returns required by the Privy Council.

Remaining clauses *agreed to.*

Standing Orders Nos. 37 and 38 *considered* (according to Order), and *dispensed with*; Amendments *reported*; further Amendments made: Bill read 3^a, and *passed*, and sent to the Commons; and Bill to be *printed*, as amended. (No. 43.)

SALMON FISHERIES (SCOTLAND) BILL [H.L.]

A Bill to amend the Law relating to Salmon Fisheries in Scotland—Was *presented* by The Lord Stanley of Alderley; read 1^a. (No. 42.)

House adjourned at Nine o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, March 8, 1866.

MINUTES.]—Supply—*considered in Committee*—Army Estimates—Civil Service Estimates (*on Account*).

Public Bills—*Ordered*—New Forest Poor Relief.*

First Reading—New Forest Poor Relief* [57].

Second Reading—Parliamentary Oaths Amendment [13]; Vaccination * [33].

Committee—Marine Mutiny.

Report—Marine Mutiny.

Considered as amended—Pensions * [40].

COOLIE EMIGRATION.—QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to ask the President of the Board of Trade, Whether any inquiry has been instituted into the terrible loss of life in the Coolie emigration ships in those voyages which are called by seamen the voyages of death; whether he is aware that during the last year 10 per cent of the Coolies who were embarked in those ships were drowned; and, whether, more particularly, any inquiry has been instituted into the loss of the *Eagle Speed* off Haliday Island in August last under most disastrous circumstances?

Mr. MILNER GIBSON: Sir, the health of Coolie emigrants on the voyage from India to the Mauritius and the West Indies has been a constant subject of anxiety to the Indian and the Home Governments. From 1856 to 1859 the mortality was very large, and greater precautions were taken by the Indian Government, and the mortality decreased till within the last two years. In those two years the mortality has again increased; the cause of the deaths was a typhoid fever, but what the cause of this fever was has not, in spite of repeated inquiries, been distinctly ascertained. The Indian Government are, however, making further inquiries with the view of taking every precaution. In the wreck of the *Eagle Speed*, near Calcutta, 262 lives were lost. In the *Fusileer*, wrecked off Natal, twenty-six lives were lost. In the *Sandringham*, wrecked at Mauritius, nineteen were drowned. Nothing like 10 per cent of the Coolies embarked have been drowned. An inquiry has been held under the authority of the Indian Government into the loss of the *Eagle Speed*. The papers have just been received at the Board of Trade and shall be laid upon the table.

Mr. BAILLIE COCHRANE: Is the President of the Board of Trade aware that six or seven coolie emigration ships have been lost, and that 1,200 lives were thus sacrificed?

Mr. MILNER GIBSON: I cannot state the exact number of vessels that were lost, but it is an over-statement to say that 10 per cent of the coolies embarked in the emigrant ships were drowned.

POOR LAW (SCOTLAND).—QUESTION.

Mr. DYCE NICOL said, he wished to ask the Lord Advocate, Whether, in the present unsatisfactory state of the Law in respect to the management of the Poor in Scotland, and the heavy and increasing expense of litigation connected therewith, he intends to take any steps to remedy the evil?

THE LORD ADVOCATE: Sir, the Question put by my hon. Friend is very general in its terms; but, if I understand him correctly, he refers to the expense caused by the present Law of Settlement. I have only to say that I am very sensible of the evil complained of, and some years ago I introduced a measure calculated to remedy it. I did not then receive the amount of support I expected, but I shall be very glad to re-consider the matter.

UNION RATING (IRELAND).

QUESTION.

COLONEL TOTTENHAM said, he rose to ask Mr. Attorney General for Ireland, Whether it is his intention to introduce a measure this Session applying the principle of Union Rating to that part of the United Kingdom?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, in reply, that it was not the intention of Her Majesty's Government to introduce this Session a measure with reference to Union Rating.

IRISH CHURCH ESTABLISHMENT.

QUESTION.

MR. DAWSON said, he would beg to ask the hon. Member for Kilkenny, Whether it is his intention to bring on his Motion relative to the Irish Church Establishment on Tuesday, March 13th; and whether he will state the wording of the Resolution which he has given notice that he would move on that occasion?

SIR JOHN GRAY said, in reply, that it was his intention to bring forward his Motion on the 13th instant; he would that evening lay on the table the form of the Resolution he intended to move.

THE THAMES NAVIGATION.

QUESTION.

MR. BATHURST said, he wished to ask the President of the Board of Trade, Whether he intends to introduce a Bill on the subject of the Thames Navigation, as recommended by the Select Committee; whether he is aware that the Thames and Severn Railway Bill seeks power to convey the water pumped from the Thames Head Springs by a culvert into the watershed of the Severn; and whether it should be left entirely to local proprietors to resist such proposals?

MR. MILNER GIBSON: Sir, it is my intention to introduce a Bill on the subject of the Thames Navigation as recommended by the Select Committee. I am aware that the Thames and Severn Canal Navigation Bill contains certain provisions with respect to the use of water from the Thames Head Springs. As it is a disputed question whether the effect of those provisions will be to divert water from the Thames, and as it is also a disputed question whether the Company have or have not a vested right to the water they are proposing to use, I think that the Bill is one which ought to be dealt with by a Select Committee, before whom these questions may be investigated. I also am informed that the Conservators of the Thames have petitioned against and intend to oppose the Bill.

FISHERIES (IRELAND).—QUESTION.

MR. BLAKE said, he rose to ask Mr. Attorney General for Ireland, Whether he intends moving for leave to introduce a Bill to give effect to the recommendation of the Special Commissioners for Irish Fisheries, as contained in their Report for 1865?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, in reply, that the question had already been under the consideration of the Government; he hoped that he should be able to introduce a measure giving effect to the recommendation of the Special Commissioners of Fisheries.

CATTLE PLAGUE BILL.—QUESTIONS.

MR. HUNT said, he would beg to ask the Secretary of State for the Home Department a question respecting a Bill that had gone up to the other House—the Cattle Plague Bill. He understood that the Bill was likely to be returned to the House that night, with certain Amendments; and inasmuch as the Courts of Quarter Session are waiting to see the law before making new orders, he wished to ask the right hon. Gentleman, Whether he will undertake that the Lords' Amendments will be considered to-morrow?

SIR GEORGE GREY said, he understood that the Bill had been referred to a Select Committee of their Lordships, and that many notices of Amendments had been given. It would be quite impossible, therefore, to say in what state the Bill would come down from the other House, and it was due both to the House and to the country that hon. Members should have full opportunity of considering the measure in its altered condition.

Mr. CHAMBERS said, he would beg to ask, whether the attention of the Home Secretary has been called to the serious inconvenience caused to the inhabitants of the Metropolis by the refusal of the Magistrates of Middlesex and other neighbouring counties to allow manure to cross the boundaries of their districts?

Mr. BARING said, that the Chairman of the Metropolitan Board of Works had called the attention of his right hon. Friend (Sir George Grey) to the inconvenience caused by the orders of the magistrates in the counties referred to by the hon. Member. Sir John Thwaites expressed his fear that, on account of the refusal of the magistrates to allow the manure to be sent from the city into the country, the public health might be endangered. He (Mr. Baring) had communicated with some of the magistrates, and trusted that arrangements might be made to obviate the difficulty. The Cattle Plague Bill contained some provisions with reference to the subject, and when the Bill came down from the House of Lords, the House could introduce into it any provisions which might seem desirable. Under these circumstances, the Government did not intend to issue any Order of Council upon the subject.

ARMY—CAVALRY HORSES.—QUESTION.

Mr. O'REILLY said, he would beg to ask the Secretary of State for War, Whether the horses of cavalry regiments lately sent to Ireland have been removed from England to that country; and, if so, whether this was not in violation of the Orders in Council for the prevention of the introduction of the Cattle Plague into the latter country?

The Marquess of HARTINGTON said, in reply, that cavalry horses had lately been sent to Ireland. The Order in Council referred to cattle only, and not to horses.

THE EASTER RECESS.—QUESTION.

Colonel WILSON-PATTEN said, he would beg to ask, On what day the adjournment of the House for the Easter Recess will be moved?

The CHANCELLOR of the EXCHEQUER: It is intended to move that the House adjourn on Friday, the 23rd instant, to the Monday fortnight following.

PARLIAMENTARY OATHS AMENDMENT BILL—[Bill 13.]

(*Sir G. Grey, Mr. Chancellor of the Exchequer.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. NEWDEGATE said, he had to present to the House considerably more than 100 petitions from Churchmen and Dissenters — Protestant Dissenters from the Church of England. He had examined the whole of them, and believed them to be genuine. The petitioners objected to the removal of those portions of the present Roman Catholic oath which were proposed to be abrogated by the Oaths Bill now before the House.

Mr. DISRAELI: Sir, I wish to offer a few observations to the House before it comes to a decision on the proposal to read this Bill a second time. I conclude that this Bill has been introduced in consequence of the opinion of the late Parliament, and the vote that was given in favour of the measure of the right hon. Member for Limerick (Mr. Monsell). I thought at the time there were very strong objections to that Bill, the purport of which was to abolish and then re-construct what has been called the Roman Catholic oath—the oath taken by the Roman Catholic Members of this House. I thought, Sir, and I believe it is very generally felt by Members on both sides of the House, that it would have been advantageous that such a question should have been settled by the Government of the day. There were many also who were of opinion that the time at which the right hon. Gentleman's Bill was introduced was by no means felicitous; that it was, in fact, inopportune, and liable to a misinterpretation, which, however, I did not myself put upon it. But, irrespective of these objections, there was a very general opinion that the Motion was an impolitic one. There is no doubt that in the Roman Catholic oath there are some things that are obsolete, and some things that are invidious. If we were to construct an oath in this country *de novo*, I do not suppose that it would be constructed in the precise form in which the Roman Catholic oath taken at present stands. But, at the same time, although there is in the oath something that is obsolete and something that is invidious, no one has pretended for a moment that it constitutes anything like a practical grievance. On the contrary, the presence of numerous Roman Catholic Members in this House—and I am sure I am very glad to see them here, sitting on both sides of the House—I say that the presence of Roman Catholic Gentlemen of high honour sitting in this House shows that there is no practical grievance in the oath as it at present stands; and it is always unwise to disturb oaths of a political and Parliamentary character, unless there is a necessity, and even an urgent necessity, to do so. In an ancient and historic country, it is impossible that public documents, and oaths above all public documents, should not possess some reference to the past, and even some looking forward to the future. If we were a new community establishing itself in the backwoods we could construct an oath, no doubt, of what may be called abstract application. But you cannot act on mere theoretical principles in a complex society, and in an ancient country famous for its history like England; and, therefore, when there is no practical grievance, I myself am of opinion that the great inconvenience and misconception which the alteration of oaths of this character must produce render it a matter to be regretted that the question was brought forward by the right hon. Gentleman (Mr. Monsell). Besides those portions of the oath which are obsolete and invidious—namely, a declaration that the oath was taken by Members of Parliament without any mental reservation, which an honourable mind would resent, and a further declaration that they would bear true allegiance to Her Majesty, and give up all thought of the restoration to the Throne of the House of Stuart, which no longer exists, there is one portion of the oath which will hardly be placed under either of those heads, a portion allowed by Roman Catholics themselves to have a real and living meaning, because it refers to existing interests, that is the declaration that they will do nothing that shall injuriously affect the Established Church. For my own part, I have ever been of opinion that the Established Church of this country does not depend upon oaths. I think the Church of England in all its branches is too strong, too deeply rooted in the affections of the people and traditions of the country, to depend for its maintenance upon any form of words of that character. I have never raised the cry of "the Church in danger," which has sometimes been imputed to me by Gentlemen opposite without, I think, due reflection. I have often thought that if a severance took place between Church and State, the State would be in danger; but I never thought that the Church would be in danger. I think it is of great importance that the State should be religious. I think it may be doubted whether it is of advantage to the Church that the Church should be political. But I have ever been of opinion that by severing the union between the Church and the State, you would lower the sanctions of public conduct in this country, and would gradually but certainly reduce Government to be a mere affair of police. Therefore, in opposing the omission of that part of the oath which declares that a Member of that religion will do nothing to injure the Established Church, it was not from any fear for the Church, but because it appeared to me that the inevitable consequence of the proposal of the right hon. Member for Limerick would be this:—He came forward with a proposal to abolish the existing Roman Catholic oath, which contained matter that was obsolete and matter that was invidious—respecting the omission of which there were not two opinions in this House, both sides being perfectly ready to omit them, and he said, "Let us abolish the present Roman Catholic oath; let us omit that passage which declares that no Roman Catholic Member will do anything in this House which will at all affect the existence of the Established Church of the country, and which is a provision which leads to a certain perplexity of conscience on the part of Roman Catholic Members; and then let us construct a new Roman Catholic oath." I felt then, and I feel even more strongly now, that there could have been only one conclusion drawn by the great body of the people from such a course—namely, that the present Roman Catholic oath gave, as far as the Established Church is concerned, a certain security, which it was proposed to omit, and that they were then to construct another Roman Catholic oath without such a security. Therefore, I then expressed an opinion by no means unpopular, I believe, on both sides of the House, that the best solution of this vexed question would be the construction of a uniform oath, to be taken by all Members of this House. It must be obvious that the construction of a uniform oath is not a very easy task. In order to construct a uniform oath that would be satisfactory, and that would have any chance of meeting with general acceptance, you must, on the one hand, take care, so far as the Roman Catholics are concerned, that nothing is included which offends their consciences; and, on the other hand, you must take care, so far as the Protestants are concerned, that everything is inserted which they believe to be of essential importance. The Protestant is entitled to that which he thinks essential, and the Roman Catholic is to be protected from that which he deems offensive. Now, what is the solution which Her Majesty's Government has arrived at on the subject? Favourable as I am to the principle of an uniform oath, I confess that to me it is not satisfactory. I think that there are grave objections to the oath which is contained in the Bill. In the first place, this uniform oath as proposed by Her Majesty's Government is a mere oath of allegiance to the personal Sovereign on the Throne. The words are—

> "I will be faithful, and bear true allegiance to Her Majesty Queen Victoria, and her will defend to the utmost of my power."

Now, if an oath of allegiance is merely a bald declaration of that character, it becomes the House to consider whether any oath of allegiance is necessary at all. [Mr. WHITE: Hear, hear!] I should be proud of the approval of the hon. Member for Brighton conveyed in that cheer, did I not know that he cheers everybody and everything—opinions the most contrary, and sentiments the most opposed. He will, perhaps, take the opportunity of showing us the reasons why we should have no oath. But I am not of that opinion. I think it highly important that we should have an oath of allegiance, and I want to see an uniform oath of allegiance containing those materials and fundamental characteristics which I think an oath of allegiance ought to possess. Now, Sir, the first objection which I take to the oath of allegiance as proposed by Her Majesty's Government is that it is an oath of allegiance to the Queen alone, and not to her heirs and successors. I maintain, Sir, that an oath of allegiance in all countries should be dynastic. The great object of an oath of allegiance is to preserve from anarchy and to secure order—to take care that in any change of succession there should be no doubt—and, therefore, an oath of allegiance should essentially be dynastic. We ought to remember that in this country the Sovereign is a constitutional Sovereign—that the succession is a constitutional succession—and, therefore, when we have an oath of allegiance it should be an oath to Her Majesty's heirs and successors as limited and described by that Constitution in which hon. Members of this House and all the subjects of the Queen, whatever may be their religion, completely agree. Therefore, Sir, I think it should be an oath of allegiance to Her Majesty and to her heirs and successors, according as that succession is limited by the Act of Settlement. No Roman Catholic gentleman hesitates for a moment to acknowledge the Act of Settlement to be the law of the country. It is one of the most important and fundamental laws of the country, and I never heard a Roman Catholic hesitate in acknowledging that to be so. But can there be any doubt on the point? The right hon. Member for Limerick when he, last year, proposed the re-construction of the Rnman Catholic oath—when he omitted all that was invidious, obsolete and unnecessary for the protection of the public interests—when he omitted that which many hon. Gentlemen on this side of the House as well as on the other considered neither invidious, obsolete nor unimportant—and re-constructed a new Roman Catholic oath, he, as a Roman Catholic, inserted on the part of the Roman Catholic Members words declaratory of this full allegiance to the Act of Settlement, and to Her Majesty, her heirs, and successors, as limited by that Act. On this subject, therefore, there cannot be a doubt. I think great public inconvenience might arise from following the policy now recommended by the Government. Let us suppose—it is an improbable supposition—and, for the sake of his Royal Highness, I and the country should deeply deplore such an event; but when we are legislating upon a constitutional question of the highest interest it is our duty to foresee even the most remote and unlikely possibilities—let us suppose for a moment that the heir to the Crown thought fit to change his religion and become a Roman Catholic—in what a situation would it place a subject of Her Majesty who had taken the oath of allegiance in the form containing no reference to the constitution of the country proposed by the Government? He would have taken the oath of allegiance without any reference to the Sovereign being a constitutional Sovereign, and a combination of circumstances might arise in which his oath might place him in collision with the law. Suppose a Prince of Wales—I will not say the Prince of Wales — suddenly professed the Roman Catholic religion, and we had a Protestant Sovereign on the throne, what a scene of intrigue would be presented! what a new, complicated and dreadfully perverted character would it give to English politics. For a series of years a party would exist in the country, the object of which would be to change the Act of Settlement in order to prepare for the accession of the Roman Catholic heir. These are great evils and possible inconveniences against which our predecessors in Parliament have always provided. I cannot understand how Her Majesty's Government could be induced to take this course, because they must acknowledge that if there is any chance of constructing — as I hope and trust we may succeed in doing—an uniform oath, it can only be done by following the principle of including nothing in it that will be obnoxious to Roman Catholics, and including in it everything which Protestant Members think of absolute necessity. I must say that it does not appear to me unreasonable that any Member of this House should agree that in taking the oath of allegiance he should take it to the Queen and her successors as limited by the laws of England. There is another point of great importance with reference to this subject. I admit that it is at first sight not so important as the one I have mentioned. The House will remember, I wish to repeat, before passing to that other point, that the position which I have been endeavouring to enforce upon it is one which has been accepted and adopted by the Roman Catholics of this country—not thirty years ago, in order to obtain political privileges—not by Archbishop Murray, or Mr. O'Connell, or Mr. Shiel—but accepted at the present time, within the last few months, by the right hon. Member for Limerick in his new project of law, in his new form of Roman Catholic oath. Even he has adopted that principle which the Government has omitted, and which I think it imperative on the House to adopt. But the other point is at first sight one of greater difficulty, nor is it strange that in the struggles of centuries and the wonderful events which have occurred in an ancient country like England there should be difficulties in the solution of such questions. But I trust if the House is determined—as I deeply and fervently hope that it is—to bring to the subject a candid spirit, I trust we may succeed in coming to a satisfactory settlement. Sir, the other objection which I have to the oath framed by the Government is that it makes no reference to the supremacy of the Crown, I know that is a subject on which there exist very ambiguous opinions. Different persons associate different meanings with that word, but because some minds have been confused, and have no clear conception of what is at stake, that is no reason why on an occasion like the present we should not endeavour clearly to understand what is meant by the supremacy of the Crown. The original oath of supremacy was at no time, so far as its construction is concerned, a satisfactory oath. It was, unfortunately, of a rhetorical character, which of all epithets is one which ought not to be applied to an oath. It dealt with circumstances which were difficult to deal with, some of which do not now exist. Even after it was adopted by Parliament it never would have been a possible oath for Roman Catholics to take had it not been for the gracious interpretation put upon it by one of the most celebrated, and perhaps one of the wisest Sovereigns that ever existed. It was the interpretation placed upon it personally by Queen Elizabeth, in defiance of the opinions of her councillors, that for some time permitted eminent Roman Catholics to declare their allegiance to the Sovereign. The meaning of the words supremacy of the Crown in this country at present is that the majesty of the law of England should be recognized—that in all the courts established by law the Queen's law shall be supreme. That is a fact. There is no Roman Catholic who denies that in the courts of this country established by law the Queen's authority is supreme, and that no foreign Potentate, Power, or Prelate can for a moment question the majesty of the law. No one denies it. It is not an opinion. It is a fact. I will place before the House an illustration to show how completely that is the fact. We have now fortunately in this country a Roman Catholic Judge, a great ornament to the bench, who formerly sat in this House. I will take the instance of his trying a case of bigamy. Suppose for a moment Mr. Justice Shee to be trying a case where a Roman Catholic has married a second wife by aid of the registrar. Mr. Justice Shee, *in foro conscientiæ*, knows well that the man is not a bigamist, because, according to his Church, the second marriage is not a good marriage.

But does any one suppose that Mr. Justice Shee would lay down that as the law to the jury? He would decide according to the law of England, and declare that a man who had married a second time before the registrar had committed bigamy. There is no perplexity of conscience, and a Roman Catholic Judge himself thus acknowledges the supremacy of the Queen in her courts, and in fulfilment of the duties of his office declares and administers the law according to the common and statute law of England, and not according to the canon law of the Church of Rome. It is impossible there can be any Roman Catholic who denies the Queen's supremacy in her own courts. I therefore think it is a very grave objection that Her Majesty's Government have not declared in this oath of allegiance that the person who takes it acknowledges the supremacy of the Queen. I know it may be said that it is difficult and dangerous to define the supremacy of the Sovereign; and that in declaring that Her Majesty is supreme in her courts you are dangerously limiting Her Majesty's supremacy, because no doubt Her Majesty is supreme in her Courts of Justice. But I hold that to be a misapprehension. I hold that you do not in the least limit the supremacy of the Queen because you acknowledge that in the Courts of Law she is supreme. It is a partial description of her supremacy, but it is not a limited one. It does not exclude a further description of it, and that I consider an answer to that argument. I, therefore, am of opinion that just as it would be quite possible in a uniform oath that the person who pledges his allegiance to the Sovereign should also pledge it to her heirs and successors, as limited by the Act of Settlement, so the person who takes a uniform oath may acknowledge the Queen's supremacy in the courts established by law, and that no foreign Prince or Prelate has any jurisdiction therein. This is a fact which all persons acknowledge. I think, therefore, that these are materials with which a uniform oath may be constructed; which would contain nothing offensive to the conscience of the Roman Catholics, and which would, on the contrary, contain, so far as the Protestant feeling of this country is concerned, the two material points which are considered necessary. But when I look at the oath as framed by the Government, I find the bald assertion of allegiance without any reference to a fundamental, political, and constitutional truth, the omission of which might lead to dangerous consequences. These are the views with which I have considered the question. So far as I am concerned—and I believe I do not speak for myself only, but for those with whom I am acting—I shall not oppose the second reading of the Bill, because I am anxious that a uniform oath should be constructed. I believe, if the House will view the question with candour, we may pass a Bill which will be acceptable to Parliament and become the law of the land. It is for the House to consider whether the views which I have put forth are sound, and whether they are open to no objections except such as prejudice sanctions. In the recognition of the Act of Settlement and of the supremacy of the Queen in her Courts of Law, there appears to me to be nothing which a loyal Roman Catholic may not cheerfully approve. I have reminded the House that the proposition of the right hon. Member for Limerick—the recognized organ of the Roman Catholic Members in the House—contained a recognition of the Act of Settlement and the oath of allegiance. The interpretation which I put on the Queen's supremacy is one which I think no Roman Catholic would refuse; because it is a fact, and because we know that Her Majesty's Judges professing the Roman Catholic religion are every day, by their conduct, and by their administration and interpretation of the law, affording conclusive proof that in the Courts of England they recognize only the law of England, and not the canon law of Rome. Under these circumstances, I cheerfully consent to the second reading of the Bill. I shall take care to place on the table an uniform oath, constructed to meet the two great points which I have endeavoured to impress on the attention of the House—allegiance to Her Majesty, her heirs, and successors, as limited by the Act of Settlement, and the recognition of the supremacy of the Queen in the courts established by law in this country.

Mr. BRIGHT: I wish to say a word or two on this subject. The proposition is that there should be a uniform oath which all the Members of the House can take. Now, there is a small number of Members on whom the Bill as it stands will impose the necessity of making a declaration which hitherto they have not been required to make. If the right hon. Gentleman the Secretary for the Home Department will look at the affirmation to which I and a few other hon. Gentlemen subscribe he will find that the words are different from those which he proposes. If the word "defend" in the Government proposition means that everybody who subscribes to it will be required to take up arms, then the Members of whom I speak will be called to make an affirmation from which some thirty years ago we were excused. I do not wish now to enter into the question, but I am sure the Government will see the propriety of placing us on the same footing in this respect as that on which we have stood since we entered this House. The necessary change might be made in Committee.

SIR GEORGE GREY: Sir, I have listened to the greater part of the right hon. Gentleman's speech with considerable satisfaction, because it shows the great advance which has taken place in public opinion since the debates which took place towards the close of the last Session. The right hon. Gentleman has said, in reference to the Bill, that it deals with no real grievance. On that point I must express my dissent. It is true there is no real grievance, if real grievance means the exclusion of Roman Catholics from Parliament, because they come here taking the oath imposed on the Members of their faith. But what is now acknowledged by the right hon. Gentleman to be the case with regard to that oath? That it does contain passages needlessly offensive and insulting to the Roman Catholics, and they are bound to repeat these words as a condition of their coming here. They are obliged to declare that they abjure doctrines which they repudiate as honestly as any other class of Her Majesty's subjects, and they are also obliged to assert that they take the oath without any equivocation or mental reservation. Now, I think that is a real grievance. The right hon. Gentleman is quite correct in saying that in a discussion which took place on the Bill of my right hon. Friend (Mr. Monsell) an opinion was expressed on both sides of the House that it was desirable not only that subject should be dealt with by Government, but that the principle on which we should attempt to legislate should be the establishment of one uniform oath to be taken by all Members. I expressed my concurrence in that opinion, and that Bill came so near to a uniform oath that if it had received the sanction of Parliament the necessary consequence would have been the adoption of a uniform oath. This is the principle on which the Government has proceeded, and I am glad to find that the right hon. Gentleman (Mr. Disraeli), speaking in the name of the party of which he is the distinguished and recognized leader, is ready to agree to a uniform oath, because if this principle be conceded, it disposes of a great deal of matter which was the subject of dispute last year. The right hon. Gentleman (if I understood him correctly, and I hope I did) is willing to consent to expunge altogether from the oath those parts which are needlessly offensive to Roman Catholic Members. He is prepared beyond that to expunge the declaration of their intention to do nothing which can weaken or subvert the Established Church—which if retained at all must be as necessary in the case of Protestant Nonconformists as of Roman Catholics. The right hon. Gentleman is, I understand, willing to consent to the omission of those words, and I rejoice that that concession is now made from the opposite side of the House, remembering as I do that the eminent Member who represents Belfast (Sir Hugh Cairns) in Committee upon the Bill of the right hon. Member for Limerick last year expressly asked the House to retain those words, and argued at considerable length, stating the reasons that induced him to take that course. The House, by a majority, rejected his Amendment. I rejoice to find now that we are to have no further discussion with regard to the retention of those words, and that it is distinctly admitted that they form no security whatever to the Established Church. If they give no security to the Established Church they are unnecessary, and the principle of the Bill which we now submit to Parliament is the omission of all those words in the existing oaths, whether taken by Protestants or Roman Catholics which are unnecessary. The right hon. Gentleman says, with regard to the oath of allegiance, that he thinks the Bill is imperfect, inasmuch as it does not require that Members of this House should swear allegiance to the Sovereign, her heirs, and successors. But the words we propose are the identical words of the existing oath of allegiance now taken by every Member of this House—those of personal allegiance to the Sovereign. Then the right hon. Gentleman refers to other words in the existing oath which require us to swear that we will maintain, support, and defend to the utmost of our power the succession to the Crown, which succession, by the Act of Settlement, is and stands limited to the

Princess Sophia, Electress of Hanover, and the heirs to her body, being Protestants, part of which he purposes to retain. I understood the right hon. Gentleman to agree to the omission of the words relating to the descendants of the Stuarts, because they refer to a family which has long since been extinct. But with reference to the words which the right hon. Gentleman proposes to retain, does he believe that the Protestant succession to the Crown depends upon their retention? It depends upon the Act of Settlement, which secures to the Crown the Protestant succession. By virtue of that Act any Sovereign who ceases to be a Protestant and joins the Roman Catholic faith, by that very act would cease to be the Sovereign ot this country. This is the real security upon which we have to rely. I would remind the right hon. Gentleman of a fact that ought not to be lost sight of—namely, that this part of the oath was not imposed contemporaneously with the Act of Settlement. The great men who passed that Act did not consider it imperfect or not sufficiently binding. The oath was not imposed until a later period, when, on the death of James II., his son assumed the title of King of England, and a real danger was apprehended. The oath was then framed to require every Member of Parliament to abjure allegiance to the preson who claimed the Throne and all the descendants of that family. It may be that the right hon. Gentleman is correct in saying that Roman Catholics have no more objection to take this oath than we have. They are quite ready, I have no doubt, to accept it, and to maintain the succession to the Throne as established by law. The true security to the Protestant succession rests on the Act of Settlement, and we thought it would be better in framing an uniform oath not to require the use of terms which we considered superfluous and unnecessary. The right hon. Gentleman asks, in what position will you place the subjects of the Crown if they take an oath of allegiance omitting those words, and if any future Sovereign should become a Roman Catholic? But the ordinary oath of allegiance makes no reference to the Act of Settlement. The ordinary oath of allegiance taken by civil officers and by officers in the army and navy makes no reference to that Act. [An hon. MEMBER: Officers in the army take no oath.] Until recently they did. They may not do so now; but the hon. and gallant Gentleman must be aware that that is a recent change. The form of the oath taken by civil officers is still more simple and short than that now proposed. There can be no doubt whatever that the oath is taken subject to the law of the land, and that the Sovereign to whom allegiance is sworn is the Sovereign who is entitled by law to claim the rights of the Sovereign and the allegiance of the subject. The only other part of the existing oath which the right hon. Gentleman wishes to retain is the declaration that no foreign Prince, Prelate, State, or Potentate has or ought to have any power or jurisdiction within this realm. [Mr. DISRAELI: I do not wish to retain the words, but the principle involved in them.] But the declaration that no foreign Potentate has spiritual authority within this realm must, of course, be omitted in the case of the Roman Catholics, for they cannot be expected to make that declaration, from which they are expressly exempted in the Roman Catholic oath; and would it not be absurd to call on Protestant Members to abjure the temporal authority of a foreign Potentate? At the same time, such a proceeding would imply the admission that spiritual authority is exercised. I recollect that last year it was urged that because the law of the Roman Catholic Church is different from the law of the land it was necessary to retain these words, but it is admitted that the Judges will disregard any Church, the pretension of which is contrary to the law of the land. I think the right hon. Gentleman has himself urged a strong reason against the retention of these words. He says it is a fact, and not an opinion, that the Queen's supremacy is upheld in every court by every Judge, and that justice is administered according to the law of the land and not according to canon law. I understand there is to be no opposition to the second reading of the Bill, and I am very glad to find hon. Gentlemen opposite unanimous in agreeing to a uniform oath to be taken by all Members of this House. When the right hon. Gentleman lays his Amendments upon the table I can assure him that they will be dealt with by the Government in the fair and candid spirit in which he (Mr. Disraeli) hoped they would be considered. If the object we have in view shall be accomplished, we shall come here, without ranging ourselves according to differences of creed, as Members of the Legislature and loyal subjects of Her Majesty, dealing with all subjects coming before us in our legislative capacity, free and unfettered by any partial restrictions. With reference to the point alluded to by the hon. Member for Birmingham (Mr. Bright), I have only to say that it will receive the attention of the Government; but I do not think that the word "defend" necessarily implies defending by arms. In the event of any danger arising to the Crown, I am sure it would have the benefit of those arguments with which the hon. Gentleman is so well able to defend any cause of which he is an advocate.

SIR HUGH CAIRNS: Sir, I would not have followed the right hon. Gentleman had it not been for a certain degree of inaccuracy in his remarks as to what occurred last summer, and also as to the observations made by my right hon. Friend (Mr. Disraeli). I will remind the House exactly of what took place last summer. The right hon. Member for Limerick (Mr. Monsell) then brought forward a Bill to alter the form of the Roman Catholic oath, not proposing a uniform oath to be taken by all Members of that House. The right hon. Member for Kilmarnock (Mr. Bouverie) then rose in his place and said it would be extremely desirable to have a uniform oath for all Members. My right hon. Friend the Member for Bucks—with the concurrence of a large number of Members, if not of the majority—concurred in that opinion. He then said—

> "You do not propose this; you propose an oath which is to be taken by one section of the House, composed of Members professing a particular religion; but I object in principle to tampering with the oath which has been resolved upon two solemn occasions to be most proper to be taken by Members belonging to that section."

In that state of things I—with the concurrence of a large number of Members on this side—proposed to omit from the Roman Catholic oath all that was obsolete and invidious, and retain that which was not so. That proposition was negatived by the House. Any course now taken in assenting to the second reading of this Bill has no other signification than that of the desirability of having a uniform oath for all Members. This is entirely in harmony with the course taken by us last summer, and the right hon. Baronet might have spared his observation to the effect that a great advance has been exhibited since last Session. The right hon. Baronet proceeded to discuss the question as if we were now talking of what should be expunged from or retained in the existing form of oath. The question is not now one of expunging or retaining; it is a question as to having one form of oath to be taken by all the Members of this House. The right hon. Gentleman made some comments on the two points alluded to by my right hon. Friend, and I would beg to say one word as to those comments. First, as to the terms of the oath of allegiance. My right hon. Friend says you do not propose that Members should swear allegiance to the Sovereign with reference to the Act of Succession established by the Constitution of the country, but you simply propose an oath of personal allegiance to the Sovereign for the time being. But the right hon. Baronet says the succession to the Throne does not depend on the oath, but on the Act of Settlement. Now, see what length the argument of the right hon. Baronet will carry him. I agree that the succession to the Throne does not depend on the oath, but on the Act of Settlement; but does allegiance depend on the oath? Is the oath taken the only obligation to render allegiance to the Sovereign? The obligation is high and dry far above, and independent of all oaths. Therefore the right hon. Baronet, to be consistent, ought to propose that there should no longer be any form of oath to be taken. The Act of Succession is of authority without any oath. I do think that if the occasion of a Member taking his seat is considered to be worthy, as I think it is, of a solemn recognition of allegiance to the dynasty of the country as established by law, it is also worthy of this, that you should take notice of what the dynasty is, and how it is established by the fundamental constitution of the country, and refer, as we are in the habit of doing, to the Act of Settlement by which it has been established. The right hon. Baronet is in error when he says that we have not been in the habit of taking notice of "the heirs and successors" of the Sovereign, for he will find in one of the clauses—it is of no matter in which—of the oath a provision obliging us to make known to Her Majesty, "her heirs and successors," all treasons and other attempts to injure her position as the Sovereign. We do, therefore, refer at present to the heirs and successors of the Crown, but in addition to that we promise "to maintain, support, and defend to the utmost of our power the succession to the Crown, which succession stands limited to the heirs of the Princess Sophia," &c. If it is worth while having an oath of allegiance at all it is worth while having a true oath, and that is the allegiance we are bound to render. As to the other point—the question of the supremacy—it is not a question at this moment whether we shall omit or modify the words which refer to "any foreign Prince or Potentate." The observations of my right hon. Friend had this effect only, that just as it is right and proper when a Member takes his seat he should recognize by his solemn expression of obligation his allegiance to the Crown, so it is right and proper that on the same occasion he should take notice of that supremacy which is the highest prerogative and highest ornament of the Crown. The words in which that should be done may be properly considered in Committee. That the Queen is supreme in all her courts in this country cannot be disputed ; and I cannot understand how any Member of this House can refuse to take an oath recognizing that supremacy, supposing the words in which it is expressed are fit and proper terms. I therefore trust when the proper time comes we shall be able to devise words, and that the House will support the insertion of them, recognizing the supremacy of the Crown ; but this is not the proper occasion for considering what those words should be. For my own part, I shall rejoice to see an uniform oath to be taken by every Member of this House, and the right hon. Baronet is in error when he says that our minds on that point have undergone any change.

Mr. NEWDEGATE said : I watched the contest, which lasted for eleven years, on the subject of the Parliamentary Oaths, with very great anxiety, and I hope that I may be permitted to make a few observations upon the debate, as hitherto continued. I have been anxious to hear the statement of Her Majesty's Government, for I think that with them rests the *onus probandi* that the present oaths, taken by Members of this House so recently as three or four weeks ago, are inapplicable and offensive. I did not observe, when hon. Members came to the table of this House to be sworn, that there was any disposition to shrink from the oaths administered to them—on the contrary, there was almost an unseemly eagerness to take the oaths. The oath, taken under the Relief Act by Roman Catholic Members of the House, had been proposed forty years prior to the year 1829 by the ecclesiastical authorities of their Church, and was at their instance enacted by Parliament in order to qualify Roman Catholics for the discharge of the duties of Members of that House. But before I proceed any further, I wish to call the attention of the House to the gist of the whole Bill. It is proposed to retain the Oath of the Sovereign distinctively Protestant. It is proposed to retain the Succession to the Throne distinctively Protestant. But it is proposed also, by the adoption of a uniform oath, to deprive Parliament of its distinctively Protestant character, because the vast majority—I think about seven-eighths—of the Members of the House are Protestants, and, as Protestants, take an oath conformable to their opinions and their views. A measure, therefore, was proposed, under the guise of a uniform oath, by which the vast majority of Parliament should be deprived of its distinctively Protestant and Christian character, whilst the Sovereign and her successors would still remain bound by oath to uphold the principles of the Reformation and of the Revolution. I think most hon. Members scarcely appreciate the gravity of this change. We live under a constitutional monarchy, in which the political power of the Crown has been almost entirely transferred to the representatives of the Crown in Parliament. The power of the Crown is not destroyed, it is only transferred; and it is proposed that Parliament shall cease by its oaths to declare itself Protestant by its vast majority. I hope the House will excuse me for bringing this point before them, but it is a subject better understood in the country than it appears to be by the majority of the Members of this House, and I need only refer to the number of petitions I have presented, to show that the intelligence of the country has, on this subject, outstripped the intelligence of the House. I wish to show that the prerogative of the Crown is not lost, but transferred to Parliament. In 1861, upon a very different subject, it was my duty to point out to the House that the prerogative of the Crown had been abused. It had been abused on that occasion—and I cite this only as an illustration—by the appointment of an unauthorized diplomatist to effect a treaty with France. I do not now inquire whether that treaty is beneficial or not to this country, but I do refer to this only as an illustration of the abuse of the prerogative of the Crown. In the very next Session a Bill touching the imposition of taxation was introduced by the Government, which was in effect an exercise of the prerogative of the Crown in political affairs, as transferred to the representatives of the Crown in this House, and in this one Bill alterations both in the Customs and in the Inland duties were proposed. I appealed to the House then against that abuse of the prerogative, which involved an infraction of the privileges of the House, and I am happy to say the House responded to that appeal, for the Chancellor of the Exchequer was obliged to divide the Bill and to abandon the principle of "tacking," as it is called in Parliamentary language, which has recently been found so inconvenient in Australia. Having deprived the Sovereign of the exercise of that which was the prerogative of the Crown, Parliament is about, by an alteration of the oaths, to declare itself no longer distinctively Protestant, so that the prerogative of the Crown would be transferred to a body not distinctively Protestant, whilst Her Majesty, as the Sovereign of these realms, was still to remain bound under all the obligations which had been felt necessary since the Reformation, and which had become still more obligatory, as enacted after the Revolution. It seems to me that this view has not occurred to any of the speakers who have preceded me. The Bill before the House repeals or abrogates all the forms of oath, which bind both Protestant Members and Roman Catholic Members to uphold the succession and the supremacy. The question as to the succession has been alluded to by the hon. and learned Member (Sir Hugh Cairns). As to the supremacy, what occurred in 1828? Mr. O'Connell then came to this House prepared to take the whole oath except the declaration as to the ecclesiastical and spiritual jurisdiction of the Crown. He could not reconcile that to his conscience as a Roman Catholic, and he retired. What did Parliament do? Did it sweep away from the general oaths all that affirms the supremacy of the Crown in matters spiritual and ecclesiastical as well as in matters temporal? Nothing of the kind The statesmen of that day were satisfied that so long as the majority of this House were bound by their oaths to maintain the supremacy of the Crown in matters spiritual and ecclesiastical, as well as in matters temporal and civil, the country, without any fear of a disturbance of the fundamental laws of the land, could afford the act of liberality which was then extended to our Roman Catholic fellow-subjects. Now, I ask the House what new circumstances have occurred? Whether there is anything in the position of the Papacy, whether there is anything in the position of the Roman Catholics, in respect to their liability to the spiritual influence of the Papacy, which should make us sweep away the safeguard of having a majority of this House bound not to disturb the supremacy of the law, that supremacy being essential to the freedom of this Protestant, and, therefore, wholly and really independent country. I wish now, Sir, to touch for a few moments on another point. The right hon. Gentleman the Home Secretary says, "What matters it about oaths with reference to the succession, when that is secured by the Act of Settlement?" Then I would ask, if that be so, what does it matter whether we take the oath of allegiance or not? The oath of allegiance is statutory; ever since the Revolution, indeed long before that time, the Crown has been held by law; the Act of Settlement itself is but an Act of Parliament, and stands on the same foundation as the Act of Parliament which establishes the monarchy; and if we are to tamper with the oath which binds us to conform to the Act of Settlement and the succession to the Throne, what reason is there for an oath of allegiance at all? There is none whatever; and I ask hon. Members to consider this. Hitherto there have been five points in the Constitution, which have been considered as covered by the fundamental laws of this country—laws regarded by the Constitution as something more than mere Acts of Parliament, constituting turnpike trusts or railway companies. The first point covered by the oath is allegiance to the Sovereign personally; the second point is the right of succession to the Throne under the Act of Settlement, which in the first four lines recites the Bill of Rights, thereby securing not only the succession to the Throne, but the rights and privileges of the subject — those rights and privileges which every man now enjoys, and which commenced in Roman Catholic times, as far back in our history as the early part of the reign of Henry II., and were more fully developed in Magna Charta. The third point of law covered by our oath is that of the supremacy, which rejects any foreign jurisdiction, whether Papal or any other in this country; the supremacy, therefore, is also asserted by a statute, covered by our oath. The other two points covered by the oath taken by the Roman Catholic Members of the House are, that the Acts of Settlement of property shall not be disturbed, and that the Established Church shall not be overthrown. What is this Act of Settlement? There are, in fact, two Acts of Settlement of property. The first was passed in the reign of Philip and Mary, which declares the inalienable right of the then possessors to the property formerly held by the monastic orders of the Church of Rome. The other Act was passed in the reign of Charles II., and it declares inalienable the property in Ireland which had been confiscated, whether previously belonging to the monastic orders or to laymen. The Roman Catholic swears that these settlements of property, which have existed so long, he will not contest. The fifth point is the inviolability of the Church of England as by law established; and to that also the Roman Catholic pledges himself by the oath taken at the table of this House. Now, I wish to show the importance of maintaining these oaths. It is strange that it should be contested, because for more than 300 years, commencing with the first year of Elizabeth, the importance of these oaths has been admitted; and never from that period has any oath taken by Members of Parliament failed to include the supremacy of the law and of the Crown. I wish to put this point clearly. When hon. Members have sworn that they will not attempt certain objects—whether those objects may be the subversion of the monarchy, or to change the succession, or to abrogate the supremacy, or to disturb the settlement of property, which I have described, or to overthrow the Established Church—until these oaths be abrogated, no question can be put from the Chair of either House for the purpose of effecting those objects. Hitherto it has been contrary to order in this House for any hon. Member to move that the form of Government shall be changed, say from a monarchy to a republic. It is contrary to the order of Parliament for any Member to propose a change in the Succession. It is contrary to the order of Parliament for any Member to propose an infraction of the supremacy of the Crown. On the first three points this is especially the case, because such proposals would be contrary to the oaths of the majority of this House, and with respect to the two remaining points covered by the Roman Catholic oath, it would be unbecoming and contrary to order if any Roman Catholic Member of Parliament were to propose the infraction of the settlement of property or the subversion of the Church Establishment. I think, then, I have shown how futile is the assertion of the Home Secretary when he says, "Never mind the oath as a guard to the succession—that is guarded by the Act of Settlement." Let this Bill pass, and Parliament is at liberty at any moment to deal with the Act of Settlement as with any other statute. The fact is, the abolition of these oaths changes the character of the laws which as yet guard these fundamental points, and would place it in the power of Parliament to treat them as no longer forming the basis of the Constitution. By the Bill of the Government it is proposed to leave one object guarded by our oaths, and that is allegiance to the Sovereign; mind, not allegiance to the Throne of this country as established by the Act of Settlement, but allegiance only to the person of the Sovereign. I hope the House will forgive my earnestness. I have heard these subjects debated repeatedly during the many years I have had a seat in this House, and they are, perhaps, more familiar to me than to most hon. Members, and I do not think anyone will be able to contest any of the points which I have now stated. I have given notice that I shall move the rejection of this Bill, and what do I find? The hon. Members on this side of the House have attended a meeting held, I am told, to-day under the auspices of a noble Earl, and they have agreed not to resist the second reading of this Bill; they appear to have abandoned nearly all the ground on which, as a matter of principle, they resisted a change in the Roman Catholic Oath last Session. ["No, no!"] I remember an expression used by the right hon. Gentleman the Member for Buckinghamshire during the long contest which preceded the adoption of what is called free trade. He was speaking of the House of Lords, and he said, "The House of Lords is drilled into a guard-room. The House of Lords has no will of its own." I should be sorry to think that this is the case also with the great Conservative party. I object to the whole principle of this Bill. [Mr. ROEBUCK: Hear, hear!] I know that the hon. and learned Member for Sheffield does not object to it. Scarcely any extreme measure has been proposed for which he has not at one time or other voted; I may have the misfortune on this grave constitutional question to differ with the hon. and learned Gentleman. At all events, he has no right to interrupt the expression of my opinion. I do object to the proposal of any uniform oath. I object for the reasons I have stated, and for another reason. Hitherto every Member returned to this House declares the religion to which he belongs. Hitherto no body of electors could be deceived as to that, or, if they should be, it could not happen twice, for when their representative comes to the table of this House he must declare himself. If he be a Protestant he takes the Protestant oath, which concludes with the words "on the true faith of a Christian." Those words have been declared by the clear decision of the Courts of Law, confirmed by repeated decisions of this House, to form a substantial part of the oath. Therefore, neither the Courts nor any prior Parliament have ever underrated the importance of these words. The Roman Catholic, when he comes to the table, claims to take the Roman Catholic oath, and in doing so declares himself to be a Christian of the Roman Catholic persuasion; and if any Member not a Roman Catholic imposes upon the officers of the House by taking the Roman Catholic oath, he is liable to a fine of £500 every time he votes. I saw it attempted once; and I saw the Member who attempted it hasten to correct his conduct. When the Quaker comes and claims to make a declaration, he does so as a Christian; for before Quakers were admitted, Mr. Pease, as the representative of their body, before a Committee of this House, distinctly declared them to be Christians. Then came the admission of the Jews; and after a controversy of eleven years' duration a conference was held with the other House of Parliament, and what then was done? In order to preserve the recognition of the general but distinctively Christian character of this House it was resolved and enacted that Jewish Members should be admitted to take their seats by resolution. This may seem a small matter to some hon. Gentlemen. I admit that it is a matter of less importance to this House, because if any Member of the Jewish persuasion were to make himself offensive in this House, he would not be re-elected by the constituency which had returned him. But what will be the effect of repealing this provision on the House of Lords? If this Bill passes, the House of Lords will cease to have any voice in the admission of Jews as its Members, and if the Sovereign should create a Jewish Peer he will not only be admitted for life, but with the right of succession by inheritance, inherent in his family. Therefore the change contemplated by this Bill will be greater by far as it regards the House of Lords than as regards the House of Commons. I do not think it any small change that the Imperial Parliament of this Protestant country should cease to be characterized by the declaration that its vast majority are Christians and Protestants. These are the changes contemplated by this Bill, and they are deprecated by the petitions I presented this evening. Therefore, as I see that a great Constitutional change will be inaugurated by this Bill—as I believe that this measure is intended to facilitate still greater changes, and to render these changes, by making them step by step, insensibly less unpalatable to the country, because not fully understood — I beg to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*)

MR. WHALLEY said, that it was not his intention to take part in the discussion so far as it related to the oath of 1829, because he considered that was a question beyond the jurisdiction of the House. It was now a part of the Constitution as much as the Act of Settlement. The House had no legal power to pass the Bill now before them. Having regard to the circumstances under which it was passed, the modification of the Act of Settlement contained in the measure which it was sought to repeal by the present Bill became a part of the Constitution of the country. The question that there should be one uniform oath or not was a question the House ought to be qualified to discuss, although it seemed to him to re-open the question of oaths quite unnecessarily. But, assuming that the House did pass the second reading of this Bill, he intended to move that it be referred to a Select Committee for the purpose of inquiring into and reporting under what circumstances the present oath for Roman Catholic Members had been enacted, and what new circumstances now required its repeal. The oath of 1829 had been deliberately agreed to by the Roman Catholic Members, and he really could not see what cause of complaint they now had. It was said to be offensive to the sentiments of some Roman Catholics, but if that were to be admitted as a reason why it should be repealed there would be no reason why they should not repeal any other enactment which any Roman Catholics might think offensive to their feelings. If they were to alter the Parliamentary oath because it was offensive to the feelings of Roman Catholics, how much more would they be bound to carry out every provision of the Encyclical Letter out of deference to the feelings of the same portion of Her Majesty's subjects? The present time was particularly inopportune for such a change. He believed that we were in great danger from the influence of that Roman Catholic power whose feelings they were then asked to consult. He believed that Fenianism—[*A cry of* "Sing, sing!"]

MR. SPEAKER said, that he heard an expression which was not Parliamentary; he begged it might not be repeated.

MR. WHALLEY: He thanked the Speaker for calling attention to that interruption of a Member who was endeavouring to do his duty. Let him remind them of the first occasion on which that un-Parliamentary expression was raised, and was continued in a manner which rendered it impossible for him to make himself heard. He begged leave to remind them that the first occasion on which that invocation was used was in the year 1862. He had then denounced the spirit of Fenianism which was taking root, as shown by the proceedings in Dublin, emanating from students of Maynooth, on the occasion of the marriage of the Prince of Wales. He said before the outbreak of the American War that Fenianism was fostered in America by Archbishop Hughes, and that it was instigated and sustained as a portion of their duty by the Roman Catholic clergy in Ireland. On every occasion of rebellion in 1848, in 1798, and in 1642—the Roman Catholic clergy secretly or openly favoured the rebels. At the present moment there was Fenianism in the army, as might naturally be expected from the character of the books placed in the hands of the soldiers. If he got a Select Committee he would undertake to prove that Fenianism was Romanism, and nothing else; that it had down to a recent period been instigated by the Roman Catholic clergy, that it penetrated to the army, and that none of our institutions were safe from it. If a Select Committee were appointed, it would be easy for him to prove, and he would undertake to prove, that the oath could not be any possible barrier to what a Roman Catholic regarded as his duty to his Church, because it was a permanent principle that no oath was binding on a Roman Catholic which interfered with his duty to the Church. They ought to hesitate before they unsettled the foundations of the Act of 1829, and, under those circumstances, he begged leave to give notice that if the Bill should pass the second reading he would move that it be referred to a Select Committee.

MR. CHAMBERS said, he agreed in everything that had fallen from the right hon. Gentleman opposite (Mr. Disraeli) upon that subject. He also concurred in many of the statements of his hon. Friend the Member for North Warwickshire (Mr. Newdegate); and if that were a Bill merely for altering the Roman Catholic oath he should go into the lobby with his hon. Friend. But that was not the question then before them. The issue raised at present was whether it was desirable that one form of oath should be taken by all the Members of the House; and if such an oath could be framed a great advantage would, in his opinion, be gained by such a change. He did not approve of the form of oath proposed in the Bill; and he would recommend his hon. Friend to oppose the clauses of the measure in Committee, but not to divide the House on the occasion of the second reading.

MR. KINNAIRD said, he hoped that the hon. Gentleman would not press his Amendment to a division.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 298; Noes 5: Majority 293.

NOES.

Beach, W. W. B.
Brooks, R.
Kendall, N.
Lefroy, A.
Whalley, G. H.

TELLERS.

Newdegate, C. N.
Williams, Colonel

MR. WHALLEY said, he had given notice of a Motion to refer the Bill to a Select Committee, but after what had just taken place, he need not trouble the House to divide again. He would only appeal to Her Majesty's Government, assuring them that since last Session he had come into possession of facts which proved that the disasters our troops sustained in New Zealand, and the disgrace which had befallen our arms in that colony were the direct result of the machinations of the Roman Catholic priesthood. The right hon. Gentleman the Home Secretary had stated that there was now no living representative of the Roman Catholic descendants of James II., but if a Committee were granted him he (Mr. Whalley) should be in a position to prove that Dr. Cullen, the Roman Catholic Archbishop of Dublin, had recently produced a work in which he pointed out the true Sovereign on whom the dynasty of England now rested, and whom Roman Catholics, to be consistent, were absolutely bound to use all their efforts to place upon the Throne. He had now relieved himself of the responsibility which the knowledge of these circumstances placed upon him, and had thrown that responsibility entirely upon the Government.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CASE OF MR. FERGUSON.

OBSERVATIONS.

MR. H. B. SHERIDAN said, he rose to call attention to this case. He thought further inquiry into it was demanded, not only in the interest of Mr. Ferguson himself, but also in that of the public. He had given notice to call attention to the case on Monday last, but finding that the magistrate at Greenwich had committed the unfortunate gentleman for trial he had postponed his Notice, and had added to it a notice of Motion for certain Returns that would throw light on the matter. The case was one of great hardship. The facts had appeared in the newspapers, and he might be allowed, perhaps, shortly to allude to them. It appeared that this gentleman, Mr. Ferguson, lived in the neighbourhood of Greenwich. He was a professor of music, and was passing quietly to his home, about two o'clock, a few nights ago, after fulfilling a professional engagement which necessitated his being out to a late hour. He had occasion on his way to pass along one of the suburban roads leading from the Crystal Palace, where he was accosted by a very suspicious looking person with "Good night." Mr. Ferguson, who had a silk umbrella in one hand, and his music, wrapped in a case, in the other, walked on, but the suspicious looking person—for it seems he was dressed somewhat after the fashion of the highwaymen of past times—whether because he was drunk, or because he felt disposed to practice a little on his own account, followed him. Mr. Ferguson, as the man approached him, naturally took to his heels and ran; the suspicious person ran in pursuit, and, being more fleet of foot than the professor, soon overtook him, endeavoured to take from him his music, and failing in the attempt, knocked him down. Mr. Ferguson contrived to get up, and struggled with his assailant, but he was again knocked down; whereupon he cried out, "What do you want with me? I am a musician. I will shoot you if you do not let me go," though he had no firearms. The suspicious looking person, however, without speaking a word, instead of desisting, continued to assault him while he lay on the ground, and Mr. Ferguson drew a short clasp knife and wounded him. He then managed to get to the other side of the road, and, taking out his watch and chain, said, "Here is my property. Take it; but if you strike me again I will shoot you," The struggle was again renewed, Mr. Ferguson shouting out, "Murder, police!" Having by that means succeeded, as he thought, in summoning to his assistance the guardians of the night, and having charged the man with attacking him on the Queen's highway, he was greatly surprised to find himself dragged by the policeman who appeared upon the scene to the next station-house, where he was thrown into a cell and subjected to great indignity. The next day he was taken before a magistrate, who, without asking him a single question. ordered him to be remanded for eight days without bail. At the end of that time he was again examined before the magistrate, and again remanded, and on Monday last he was committed for trial. Now, under these circumstances a great wrong had, he thought, clearly been inflicted on the gentleman in question. This gentleman, knowing he had done no wrong, must have fancied that he was all at once transported to some land of savages, where only brutal violence reigned. He had last night received the following letter from this gentleman, detailing the particulars of the assault upon him in a manner not hitherto made public:—

"26, St. Aubyn's Road, Upper Norwood,
Surrey, March 6, 1866.

"Sir,—Seeing by the papers that you have kindly taken an interest in my case, I take the liberty of enclosing you an account of the whole transaction.

"After playing at Mr. Noake's party, on my way home, and while walking from Sydenham to Upper Norwood, I observed a rough-looking man loitering on the roadside. As I passed I bade him 'Good morning.' I wore a dark grey Inverness cape, black felt hat, and long shining leather knickerbockers, or leggings, up to my knees. I carried in one hand a small silk umbrella, closed; in the other my portfolio of music (not a bag as described in the papers), with a strap round it, hung on my finger and quite visible, as when walking on these occasions I always throw back the outside cape for convenience. When some yards past the man I heard him following me. The road became more lonely as I advanced. I considered he had a design on me, and quickened my pace. Finding he did the same and was gaining on me I felt much alarmed, and concluded he was a garrotter coming on to attack me. Hoping to gain the Crystal Palace Police Station, which was quite convenient, I ran for my life. He overtook me, and seized me by the arm. To intimidate him I threatened to blow his brains out, although having no firearms. I was knocked down and struck while on the ground. He afterwards seized me by the neck. I struggled hard to get from him. I told him I would give him my property, and that I was a musician. He continued to beat and drag me about. After a long and desperate struggle, and finding my strength failing, and that he was trying to knock me down again, I considered he was about to murder me. I thought of my dear wife and children and became mad with terror and despair, and shouting 'I shall not be murdered and taken from them,' struck out in defence of my life. After some struggling I got free and ran to the opposite side of the road. Finding him following, and believing my property and life to be his object, I took out my watch and chain, laid them on the pathway and said, 'There, take them; take all; but do not touch me.' [All this time I continually shouted 'murder,' 'police.'] In order to get a barrier of defence and in the hope of the inmates of the house assisting me, I sprang over a garden gate. Seeing him approach I presented my knife, threatening to shoot him if he came near me. After some time two constables in uniform came up, when I immediately cried out to them, 'I charge that man with attacking me on the highway; take him into custody.' I got over the gate, and to my surprise was seized by one of the constables, was roughly handled, and marched bareheaded to Sydenham Police Station. It was not till after the police came up to the gate I discovered he was not a garrotter, but a policeman in disguise. After being locked up in a cell I was from that time treated with every indignity, at times handcuffed, stripped naked, my person minutely examined, even to the inside of my mouth. Locked up at night in a cold cell, with open window and insufficient covering, and this in intensely cold weather; and not allowed to see my friends except through a double wirework, with small apartment between, and an officer present.

"With grateful thanks for your noble efforts in the cause of justice and humanity, I have the honour to be, Sir, your truly obliged humble servant, JOSEPH FERGUSON."

The Returns he wished were—Copies: 1. Of the entry on the charge-sheet of the Greenwich or any other police district under which Mr. Ferguson was locked up in a police-cell on the night he was assaulted. 2. Of the report of the acting sergeant or inspector of the same district to his superior officer, or to the stipendiary magistrate having jurisdiction therein, by which he justified the refusal to take the charge preferred by Mr. Ferguson against the person who had assaulted him. 3. Of the evidence on which Mr. Traill, the stipendiary magistrate of the Greenwich district, ordered Mr. Ferguson to be sent to prison for eight days. 4. Of the evidence on which Mr. Traill subsequently committed that gentleman for trial, and of the warrant under which he was committed. And 5. Of the instructions issued by the Commissioners of Police to persons called detective officers, and of the regulations by which those special instructions are modified and controlled. Now, he wished to know by the Returns he asked for why the policemen who arrived at the spot did not take the charge of assault preferred by Mr. Ferguson against the policeman in plain clothes, and why the policeman preferred a charge of assault against him; how it was that the acting officer at the station in his Report to his superiors justified his conduct in not allowing Mr. Ferguson to make any statement, throwing him into a cell, and subjecting him there to indignities; and how it was that he failed to send to the gentleman's house, which was not far distant, but insisted on treating him as a criminal? He also wanted to know under what English law the magistrate ordered this man to be further locked up in solitary confinement for eight days? Mr. Traill had all the facts before him, and therefore he asked why did that magistrate refuse to consider the gentleman's statement and insist on treating him as a criminal? Mr. Traill was in a different position from that in which a policeman stood. It was his business to sift carefully all questions, and there was nothing, as appeared from the report in the newspapers, to justify him in deciding as he did. It appeared in evidence that the policeman admitted that he first assaulted Mr. Ferguson, and that the latter did not know him to be a policeman, as he did not show his uniform or spring a rattle. Mr. Traill, however, though he knew that Mr. Ferguson was no returned convict or offender under surveillance, and that he had been outraged and injured, ordered him to prison for eight days without bail. This might be Mr. Traill's law, but it was not English law. If there had been conflicting testimony, if the policeman had said that he exhibited his uniform, even then, in the absence of a warrant, Mr. Ferguson was justified in resisting, and Mr. Traill would have been justified in taking the man's own bail for his appearance. He thought that in this matter a great public principle was involved. By the law of England every man guilty of no offence was entitled to personal liberty, and to be free from vexatious, arbitrary, and tyrannical arrest. There seemed to be no dispute that an Englishman was justified in resisting illegal arrest, even to the extent of slaying the arrester. A high prerogative writer on the English Constitution, De Lolme, stated that the right of opposing violence in whatever shape and form, whatever quarter it might come from, was so generally acknowledged that the courts of law had sometimes grounded their judgments on it. De Lolme proceeded to relate on this head the following fact:—

> "A constable being out of his precinct arrested a woman whose name was Anne Dekins; one Fooley took her part, and in the heat of the fray killed the assistant of the constable. Being prosecuted for murder, he alleged in his defence that the illegality of the imprisonment was a sufficient provocation to make the homicide excusable and entitle him to the benefit of his clergy. The jury, having settled the matter of fact, left the criminality of it to be decided by the Judge by returning a special verdict. The cause was adjourned to the King's Bench, and thence again to Serjeant's Inn for the opinion of the twelve Judges, Here follows the opinion delivered by Chief Justice Holt in giving judgment—If one be imprisoned upon an unlawful authority, it is a sufficient provocation to all people out of compassion, much more so when it is done under the colour of justice, and when the liberty of the subject is invaded it is a provocation to all the subjects of England."

It was a remarkable circumstance that Chief Justice Holt left a memorandum in MS. upon this subject of singular interest. He said that it

> "Is not lawful even for a legal constable to take up a woman upon bare suspicion only, having been guilty of no breach of the peace, nor any unlawful act."

Of late constables had made a practice of taking up women only for walking the streets, but he did not know where they had such authority. Mr. Justice Bayley gave his opinion with regard to nightwalkers in these words—

> "Where a private Act authorized watchmen to apprehend nightwalkers, malefactors, and suspicious persons, and a watchman apprehended a gentleman returning from a party, it was held that apprehension was illegal, for by nightwalkers is meant such persons as are in the habit of being out at night for some wicked purpose."

Mr. Russell, in his *Treatise on Crimes*, vol. I. p. 809, says—

> "It has been considered that the taking up of a person in the night as a nightwalker and disorderly person, though by a lawful officer, would be illegal if the person so arrested were innocent, and there were no reasonable grounds of suspicion to mislead the officer."

There was also the law with reference to justifiable homicide. By the Statute of Henry VIII.—

> "If any person attempt to rob or murder another in or near the highway or in a dwelling-house, or attempt to break any dwelling-house in the night time, and be killed in the attempt, the slayers shall be acquitted and discharged."—24 *Henry* VIII. c. 5. "And the same where a man is killed in attempting to burn a house."—1 *Hale's Pleas of the Crown*, 488. "Or where a woman kills a man who attempts to ravish her." —*Hawkins' Pleas of the Crown*, c. 28, s. 22. "Or where a man is killed in attempting to break open a house in the day time with intent to rob." —1 *Hale*, 288. "Or to commit any other forcible and atrocious crime."—*Braeton*, 273; *Kelynge's Report*, 128-9; 1 *Hale's Pleas of the Crown*, 482.

That seemed to be the law of the case, and if he referred to other authorities, he did not know that he could better establish his case. In this instance there was no policeman in uniform. The gentleman was assailed in an unjustifiable manner; the magistrate who committed him thought it his duty to treat him as a prisoner, and as one who had committed a crime. He might be told that those notions of constitutional and common law to which he referred were all very well, but that the police had strange powers and privileges, with which we were not thoroughly acquainted. If this be so, let them be at once distinctly declared. Such powers were unconstitutional, contrary to Magna Charta, the Bill of Rights, the declarations and decisions of the Courts, and the whole spirit of British law. He knew that after the passing of the New Police Act of Sir Robert Peel, there was an aggregation of subsidiary Acts passed, in explanation or in aid of that Act, which did not fully disclose their powers and intentions, and perhaps the police had obtained their authority under these Acts, although contrary to the fundamental principles of English liberty. If this were so, let there be a Committee to examine the whole of these Acts, and ascertain whether the police had obtained powers inconsistent with all the civil rights the people of this country supposed they were entitled to, and if it were then found that a power had grown up by which those civil rights to which we believed we were entitled had been handed over to a sort of police minister, created by these Acts, let every effort be made to remedy it, and bring it in accordance with the spirit of English law. He said nothing in disparagement of the police as a body. He believed it was in the main an excellent body, and had been wisely and ably administered. But it was just possible that the Police Commissioners desired to obtain, and had succeeded in obtaining, powers which encroached directly on the liberty of the subject. It was just because the police was an excellent institution that it should be carefully and jealously watched. If not it would become a system of terrorism and aggression. Had the police power to arrest a person without a warrant? Under what regulations had the detective police been established? What discretion was given to them? and was it of a character dangerous to the liberty of the subject? What was really intended for our protection against civil danger ought not to be permitted to grow up as a system of tyranny and oppression. Unless something were done, the people of this country, who were quiet, orderly, and tractable, would make their feelings and sentiments known in no mistakeable terms. The police were, as a body, respectable men. So far as their duties in the neighbourhood of that House was concerned they were entitled to the respect and praise of hon. Members. But there were black sheep in every force; and it was not long since a person in the guise of a constable at Shrewsbury had stripped a gentleman of everything he had on, and locked him up. Suppose an hon. Member attacked, where was resistance to begin? where was tacit submission to end? If he ventured to resist he might be locked up, stripped, treated as a felon, remanded without bail for ten days, and committed for trial. All garotters in future might say they were policemen. Not long ago there was a great apprehension on this subject. Members of the House were themselves assailed. If an Englishman on the Continent had been exposed to treatment like that, all the embassies in the civilized world would be in commotion. He hoped, then, the Returns would be granted.

Mr. H. B. Sheridan

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copies of the entry on the charge sheet of the Greenwich or any other Police District, under which Mr. Ferguson was locked up in a police cell on the night he was assaulted:—Of the Report of the acting Sergeant or Inspector of the same district to his superior officers, or to the Stipendiary Magistrate having jurisdiction therein, by which he justified the refusal to take the charge preferred by Mr. Ferguson against the person who had assaulted him:—Of the Evidence on which Mr. Traill, the Stipendiary Magistrate of the Greenwich District ordered Mr. Ferguson to be sent to prison for eight days:—Of the Evidence on which Mr. Traill subsequently committed that gentleman for trial, and of the Warrant under which he was committed:—And, of the Instructions issued by the Commissioners of Police to persons called detective officers, and of the regulations by which these special instructions are modified and controled,"—(*Mr. H. B. Sheridan,*)

—instead thereof.

SIR GEORGE GREY said, he was sorry the hon. Gentleman had thought it necessary to make the statement he had, because the matter was now the subject of a judicial investigation, and he (Sir George Grey) was consequently prevented from making such a reply as he otherwise should have done. He therefore hoped hon. Members would not take the statement which had been made by the hon. Member for Dudley, avowedly derived from the newspapers, as a correct version of what took place on the occasion referred to. [Mr. H. B. SHERIDAN said, he had read Mr. Ferguson's letter to the House.] The hon. Gentleman had also criticized Mr. Traill's conduct upon the same information; but he should remind the hon. Gentleman that Mr. Traill had all the facts before him and acted upon evidence given on oath. The policeman was an inmate of Guy's Hospital suffering from the wounds inflicted upon him by Mr. Ferguson. Mr. Traill went there and took what was then supposed to be the deposition of a dying man, and it was in consequence of that and the statement of the surgeon that the policeman's life was in imminent danger that Mr. Traill considered it to be his duty to remand Mr. Ferguson, the person charged with inflicting the wounds, for a week. At the end of that week, there being every prospect that the policeman would recover, Mr. Ferguson was admitted to bail, and had been out of custody for the last fortnight, and it was now doubtful if he would be committed for trial. The hon. Gentleman said—and it showed how incorrectly he was informed—he had been committed for trial. [Mr. H. B. SHERIDAN: He was on last Monday.] He was not committed for trial, but he was remanded until the 24th of this month, and he is out upon bail. The magistrate, who was fully in possession of all the facts of the case, did what he considered he was bound in duty to do under the circumstances of the case. The Commissioner of Police wished the police magistrate to take such a course unbiased by the statement of the police, as he thought the end of justice would require. He, however, was bound to say—but with no desire to prejudice Mr. Ferguson's case, as there was to be a further judicial investigation—that it was the duty of the policeman to be where he was in plain clothes, and that when the policeman first accosted Mr. Ferguson he has been informed that he showed him his staff as a symbol of his authority. He had heard much to-night that was new to him, and judging from the facts that had been stated to him there was much in the hon. Member for Dudley's version of the case which was incorrect. A great deal of the hon. (he did not know if he was entitled to call him learned) Gentleman's speech might have been spared the House with regard to the extraordinary powers of the police. No such powers existed as he supposed, and policemen were subjected to the ordinary law of the country, and if a policeman exceeded his duty he was amenable to the laws and was liable to punishment for such excess of duty. No such power was claimed by the police as had been stated by the hon. Gentleman. With regard to what he had said with reference to female street-walkers, they could not be apprehended unless they had committed or were suspected of having committed an offence. [Mr. H. B. SHERIDAN: I did not refer to female street-walkers.] Mr. Ferguson was not apprehended as a street-walker. It appeared that during the early part of the winter numerous robberies were committed in the neighbourhood of Sydenham, and in December last an application was made to the Chief Commissioner for further police assistance for a limited time, and one inspector and four policemen in plain clothes were added to the police force of the neighbourhood, in order, if possible, to give protection to those persons on whom these robberies had been committed. With the ordinary police force of the neighbourhood in their uniform it was impossible to apprehend these offenders, for they watched the men on their beats, and committed the robberies complained of before they returned. He, however, would not then further enter into the details, because if the matter was to become the subject of further judicial investigation it would be better that the jury should come to the consideration of the case unbiased by anything he might then state. Mr. Traill, notwithstanding what had been said, had only done his duty. He had taken the evidence of a man who was in a dying state, and he acted as any other magistrate would have done under the circumstances, by remanding the person so charged with inflicting these dangerous wounds until it was seen whether the policeman was likely to recover or not. As soon as it was ascertained that the policeman was likely to recover, Mr. Ferguson was admitted to bail, and he was further remanded until the 24th of this month. The police were ready and willing to leave it to the magistrate to say whether, under all the circumstances, it would be necessary to send Mr. Ferguson for trial. To do Mr. Ferguson justice, there could be no doubt that he acted under great terror at the moment. He was returning home at three o'clock in the morning with a parcel under his arm, and when the policeman went up to him he said he was a policeman, and asked Mr. Ferguson who he was, having a suspicion that he had committed a felony, in consequence of his having a parcel under his arm. The hon. Gentleman the Member for Dudley had alluded to what he called the extraordinary power granted to a policeman of apprehending a person without a warrant. By the Police Act it was the duty of a constable to apprehend any person whom he suspected of having committed a felony, and the question whether he had good grounds for doing so was of course one for future consideration. It was sufficient that he had a reasonable suspicion to justify him in adopting such a course, but it was impossible then to adduce in that House the evidence to show that the policeman had in this case a reasonable suspicion for what he did. The case being *sub judice*, he thought it would be better not to go into further details. For the same reason he could not consent to produce the papers moved for, as that would invite the House to judge whether the magistrate was right in acting as he had done, but he had no objection to give the charge-sheet which stated the nature of the charge that was made against Mr. Ferguson, and also a copy of the instructions under which policemen in plain clothes were employed. He hoped the House would not constitute itself a judicial tribunal for the consideration of a case that had been avowedly stated on information contained in the newspapers and on the *ex parte* statement of the person accused. It was but right that he should also state that Mr. Ferguson, after finding what he had done, had expressed his deep sorrow. Every one who was at all acquainted with the high character of Mr. Traill, and the long experience he had had, must know that he was not a gentleman who would do an act that would lay himself open to just animadversion. He hoped the House would suspend its judgment until the matter had undergone further judicial investigation.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, *and agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee:—ARMY ESTIMATES—CIVIL SERVICE ESTIMATES (*on Account*).

(In the Committee.)

(1.) £1,134,800, Commissariat Establishment.

COLONEL H. H. FANE asked the Secretary of State for War, whether, looking at the great difficulty now experienced in officering the Militia, and the consequent necessity of getting officers from the half-pay of the Line and distant localities, he would be prepared to allow them travelling expenses beyond the boundaries of their several counties and to their *bonâ fide* residences?

MR. PERCY WYNDHAM asked the Secretary of State for War, if it would not, in his opinion, facilitate recruiting for the army if appointments in the Civil Service, up to the value of 25*s.* per week, were thrown open to those soldiers who, after eighteen years' service with good character, chose to qualify themselves for these appointments? He said, that under the Ten Years' Act Her Majesty lost the services of non-commissioned officers just at the time they were most useful. At present, non-commissioned officers who after leaving the army obtained situations gave the greatest satisfaction, and he was sure that they would be perfectly competent to discharge the duties of messengers and similar offices in the Civil Service. At present the annual sum paid to the messengers in the Civil Service was £35,000 a year, and he thought that nothing would tend more to facilitate recruiting than the knowledge on the soldier's part that if he behaved himself well in the army he might obtain one of those situations when his period of service was completed. It might be said that by the adoption of the suggestion the Government would lost patronage. He did not at all wish to see the patronage in the hands of the Government diminished, but he thought that when the Government had given up the patronage of the more important offices, they might as well do the same with the smaller ones. He hoped that the matter would receive the attention of the Royal Commission about to be appointed.

LORD HOTHAM said, that the subject had come under the notice of a Commission of which he was the president, and they made a distinct recommendation to the Government. He believed, if the War Office would act upon that recommendation a little more extensively, one of the present difficulties in the way of recruiting would be put an end to.

THE MARQUESS OF HARTINGTON said, that the subject referred to by the hon. and gallant Gentleman (Colonel Fane) had been several times under the consideration of different Secretaries of State, none of whom considered it would be advisable to make any change in the present system, because the militia force was intended to be, and it was hoped, in spite of the difficulty at present experienced in obtaining subaltern officers, would continue to be mainly a local force. He doubted whether the payment of the travelling expenses of the officers to their own residences would remove the difficulty of obtaining subaltern officers. He believed that officers on half-pay in the Line would not join the militia in any rank subordinate to that of captain. The matter had been under consideration, and it did not appear that any good result would be obtained from the payment of larger sums. In reply to the question of the other hon. and gallant Gentleman (Mr. Percy Wyndham), he had no hesitation in saying that it would be a very great advantage to recruiting for the Line if the Civil Service could be thrown open to pensioners to a greater extent than it was at present. The experiment had been tried for a short time of employing soldier clerks in the War Office, and it had proved successful. The heads of the Department spoke highly of them, and of the efficient manner in which they performed their duties. If the experiment should continue to work satisfactorily in the War Department no doubt it would be an inducement to other Departments to follow the same course.

Colonel NORTH, said he wished to ask why the amount of the Vote was smaller than last year?

The Marquess of HARTINGTON said, that it was in consequence of the reduction of the force in China.

Colonel NORTH said he did not think the force in China had been reduced.

Colonel SYKES said, that the number of subordinate officers of Commissariat employed was not stated in the Estimates. He also wished to ask a few questions with reference to the rations. He wanted to know if the rations were served to 133,000 men, or to a greater or less number, and whether they were served for 365 or 300 days? He also wished to know if a ration cost the same in England as in the colonies, and if this was not the case, how much it cost in India and how much in the colonies?

The Marquess of HARTINGTON said, that the forces in China had not yet been reduced, but they would shortly be, as one regiment had been ordered home. In the Appendix to the Estimates a very full statement was given of all the officers in the Commissariat Department, and of the number of subordinates employed at each station. Rations were provided for the whole of the troops on the home establishment for every day in the year; and he saw that they were provided for the troops in several of the colonies in the same manner as was done at home. He could not then speak as to the practice in regard to rations in the rest of the colonies.

Colonel NORTH said, he wished to inquire what the "consolidated allowances" alluded to in one of the items consisted of?

The Marquess of HARTINGTON said, they consisted of colonial allowances which were now given in a consolidated form.

Captain VIVIAN said, he wished to call attention to the increasing charge for the conveyance of troops by railway. It amounted to upwards of £5,000 more than in the preceding year. The reason that formerly existed for moving the quarters of our troops so frequently no longer operated. Within the last twelve months there had been an unnecessary movement of troops from England to Ireland, and from Ireland to England, before the recent unhappy occurrences in the sister country. They might now keep their troops in England for two years instead of one year at particular stations, which would save much expense.

Vote *agreed to.*

(2.) £454,400, Clothing Establishments.

Colonel SYKES said, he thought the charge for the clothing of our soldiers was very high, and nearly double the cost of the clothing for the corresponding grades of the French army. Great care was taken in regard to the clothing of the French soldier, particularly as to accuracy in fitting him. He wished to refer to the clothing establishment at Pimlico, and submitted that the tailoring wages should be of less amount than they appeared to be. By means of contracts or by efficient superintendence, an endeavour ought to be made to effect a reduction in that Vote.

Captain VIVIAN said, that in instituting a comparison between the cost of the clothing of the English and the French army they must not be misled by the French Estimates, which simply included the coatee, the trousers, and the shako. He did not think either that the quality of the material was equal to that used here. The French soldier received an allowance in respect of his other articles of dress. The Government clothing manufactory at Pimlico had been of great service, not only in supplying a better kind of cloth and better fitting clothes for the army than they had before, but also in cheapening its cost. That establishment acted as a check upon the contractors, and kept down their prices. Before it existed the contract price of the soldier's coatee was £1 1*s.* 10*d.*, whereas it was now 16*s.* 7*d.* Persons who had lived upon the sale of the smaller articles of soldiers' clothing were now, he might say, "shut up." A balance-sheet for the establishment, made up according to Mr. Cobden's principle, had been prepared, and would be in the hands of Members in a few days. The War Department held that it was necessary that a civilian should manage the contracts for clothes; and when it was considered that a million of money annually passed through his hands, he ought not without very cogent reasons to be supplanted by a military officer. If the hon. and gallant Colonel were to visit the clothing establishment he would neither object to the work done nor the number of people employed at it.

Colonel SYKES said, 297 persons

were employed in the establishment at a total cost of £474,000. The cost of the clothing was extraordinary. Several items showed how high the cost was. In the Imperial Guard the cost was not half so much, though it might be necessary to have such an establishment to test the charges of the contractors. He had always maintained, and he still urged, that it would be far better to put the majority of the work out for public competition.

Captain VIVIAN said, the central depôt could make clothing at a much cheaper rate than any contractor.

Sir CHARLES RUSSELL said, that by means of the Pimlico store system they had obtained an efficient check over their supervisors, and the consequence was that they had a very good class of supervisors now. Every article was stamped, not only with the store stamp, but the number of the supervisor. The consequence was that every article, whether at home or abroad, that did not wear well, could be reported upon, so that the defaulting supervisor could be reached, and good supervisors obtained. The hon. and gallant Colonel advocated retrenchment, but he might say that they had already reduced the price of clothing enormously, and that if anything took them back to the old system, which was only upset by the Crimean War, they would get back to a system as rotten as the clothes it produced.

Lord ELCHO said, he thought the clothing of our soldiers should be well made, well fitting, and of the best materials, but it was important also that those clothes should be worn in the way that would be most conducive to their health. Not unfrequently sentinels might be seen in London in the depth of winter, when the weather was coldest, without their great coats, while in summer, on the hottest days, if there happened to be a little wet, the men were muffled up in their coats. He believed the men put them on and took them off by order, and those orders were not very judiciously given.

Mr. WHITE said, he could not share in the admiration which had been expressed by hon. Members of the Pimlico establishment. He held it to be a reproach to Great Britain that the Government were compelled to manufacture the tunics and trousers worn by the soldiers. It might be alleged that the contractors did their work badly; but if that were true it was evidence that there was something wrong in the Department specially dealing with those matters. England exported 160 or 170 million pounds worth of manufactured goods annually; and such was the confidence manifested in the British manufacturer that goods of certain brands were carried thousands of miles away without undergoing inspection. Of course there was a reputable and a disreputable class of manufacturers, and Government officials had always been connected with the latter, the class which provided devil's dust and shoddy; consequently, goods of a worthless description had been supplied. For his own part, he looked upon the consolidation of the War and Ordnance Department which took place some years ago as a financial calamity, inasmuch as it prevented the Chancellor of the Exchequer from possessing that proper influence over the expenditure of the War Office which he exercised under the old system. The appointment of Secretary for War as a Cabinet Minister placed that official—a man of distinguished rank—upon an equality with the Chancellor of the Exchequer, and he could not now exercise proper and effective control over the War Department. As an evidence that the system indicated the weakness of the Executive they had seen how the military Estimates had swollen. Government could not make manufactured articles as cheaply or as well as private traders who were respectable persons. Government never looked into the value of its plant; never took account of the vast amount of waste; and never derived advantage from all those items, almost invisible to the Government, but which formed the profits of the private trader. He would recommend the new Members of the House instead of entering into the details of each Vote as it arose, with a view to economy, to deal with the principle involved in the system before the Speaker left the Chair, because very little good could be effected in the shape of reduction by discussions in Supply. That the Government should undertake to manufacture the various articles which they required, he regarded as a reproach to us as a manufacturing nation, for he agreed with the late Lord Lansdowne and Sir Henry Parnell, that they must of necessity be the worst agriculturists and the worst manufacturers possible. It seemed marvellous, under those circumstances, that the Government could not depend upon private firms for the supply of tunics and trousers to our soldiers. There were many known firms which could not afford to furnish a bad article because—not to speak of any higher motive — of the loss of reputation which they would in consequence suffer. He had been furnished with minute details which would support his view of the case, but he declined to enter into them on the present occasion, believing it to be better to confine himself to the question of principle. The late Mr. Cobden had stated a short time before he died that £500,000,000 sterling had been voted for the army and navy while he was in that House, without a single item having been struck off. He should therefore not trouble the Committee by asking them to divide on the present Vote, but should content himself with protesting against a system which he regarded as degrading to the national character.

Lord HENRY PERCY said, that as general officer, he had had to inspect clothing of different descriptions, and that he felt confident that every captain under his command would tell the House that the clothing furnished by the Government was a hundred times better than that supplied by private contract.

Sir HARRY VERNEY said, he wished to urge upon the Government the expediency of giving the soldier employment in the way of making articles for his own use.

Colonel BARTTELOT said, that having looked into the Vote for many years he found it to be completely under the control of the Government, because there were no means of drawing a comparison between the articles manufactured by them and those supplied by a private contractor. It would be much more satisfactory if instead of giving the cost of the tunics, and boots and shoes in a lump sum, the price of each article was furnished. The cost involved in the wear and tear of their establishment was not, he might add, included in the Vote, while it was always taken into account by private firms. He thought it would be advisable that the Government should not manufacture so much, though he was quite ready to admit that the army was now far better clothed than formerly.

Mr. O'REILLY said, he was afraid the Committee would be somewhat misled by the statement that in the French army the soldiers made all their own clothes except the eagles on their uniforms and their shakos. The fact was that each French regiment consisted of three battalions ; and each battalion furnished a certain number of workmen who remained at the depôt, and did, no doubt, make a great proportion of the clothing. Practically, there were three small clothing establishments connected with each regiment. There was a rule that the men should be changed, but when the officer in charge had good workmen he was loth to part with them, and, on the other hand, these sedentary soldiers were never very effective. He was, however, a great advocate for the soldiers in minor matters doing such things themselves. The 60th Rifles were clothed by contract, and were remarkably well clothed. The prices were well known, and, therefore, it was hardly fair to say there was no test of comparison. He did not think it would be advisable to encumber the Estimates with the details of prices every year.

Captain VIVIAN said, he was greatly surprised by the remarks of the hon. Member for Brighton (Mr. White) that the Government never could make out a balance-sheet. The balance-sheets of these clothing establishments were drawn up on a plan of the late Mr. Cobden, and if he did not know how to make out a balance-sheet, who did ? Every item, including wear and tear, would be found inserted. The hon. Member said the Government were so unfortunate that they always fell into the hands of dishonest contractors, but the facts of the case were a sufficient answer to that charge. The contracts were all advertised and open to everybody, and how such startling facts as those which had been mentioned could be possible he was at a loss to know. Since the introduction of these clothing establishments the contracts were 25 per cent lower, and they were useful not only in that way but in testing the cloths sent in by contractors. He visited one of these establishments the other day and was shown two pieces of cloth, one good and the other so bad that it was impossible for it to be applied to any purpose. At the same time it looked so well ; and, on being asked to select the better sample of the two, he chose the bad piece. In fact, it was so difficult to tell the one from the other that for aught he knew both the hon. Member for Brighton and himself might be clothed in "shoddy." However, if it were impossible to clothe the army without contractors, there should be an efficient supervision, for it was a well-known fact that the clothing sent out to the Crimea in a great exigency were made in Seven Dials and Whitechapel—in districts afflicted with all sorts of infectious diseases, and some of the sickness which was so fatal to our troops went out in that clothing. ["Oh, oh !"] The fact was well-known. The *Trent* affair showed the necessity for having the means at hand of sending out a large supply of clothing upon an emergency. The contractors now supplied 60 battalions out of 148 completely with clothing, and it was well to have the Government factory to prevent the contractors having a monopoly. It was a good thing to have these Government establishments as a nucleus; although he did not advocate everything being in the hands of the departments.

COLONEL SYKES said, that the result of the French system was that a private's jacket in France cost *56f.*, or a little more than £2 instead of £3 9*s.*, the price in England.

MR. CARNEGIE said, that the system of conscription brought more skilled labourers into the ranks in France than in England; and he did not see how the plan of having all the clothing made in the regiment could be carried into effect in this country. He thought no comparison could be drawn to any purpose between the French Estimates and our own. In our army regimental tailors were always fully employed in making repairs of the men's clothing; but if the clothing were to be made by them he believed it would turn out to be of no great value.

THE MARQUESS OF HARTINGTON said, that it was useless to institute a comparison between our Estimates and those of the French, unless the latter were laid on the table. The French Estimates were constructed upon an entirely different principle, and he doubted whether there were more than one or two Members in the House who understood the French principle. The hon. Member for Brighton had not answered, and indeed could not answer, the fact that the contract prices of clothing had greatly decreased since the Government had introduced these clothing factories. He did not understand the hon. Member to say that all the contractors were dishonest men, but that the Government officials had a great aptness at finding out those that were dishonest; but would the hon. Member point out in what way the country would receive greater benefit from competition? At present, although the competition was quite open to everybody, one great contractor had beaten all the others out of the field. If, therefore, the Government had not these factories it would be entirely in the hands of Mr. Tait, and did the hon. Member think that would be an economical arrangement? In these particular articles, too, it should be remembered that the Government was the only consumer. No one else wanted tunics of these particular patterns, and as to guns of great size it was not to be expected that there would be any other purchasers. It would be easy, therefore, for a number of contractors to combine together and make extravagant profits on those articles; and, therefore, although the principle of competition was right, it might be carried too far. It was not correct to say that no charge on account of buildings of the Government manufactory appeared. The item was under the head "buildings and clerk of the works." If hon. Members would examine the balance-sheet to be laid on the table they would find that the cost of every item was distinctly stated, every source of expenditure being taken into account.

MAJOR STUART KNOX said, he had understood that certain commanding officers having complained of the clothing wrote to the clothing department on the subject but received no answer. As there were plenty of clerks at the War Office, some might be sent to the clothing establishment to answer the letters of complaint sent there by the commanding officers.

MR. DISRAELI said, he did not quite understand the noble Marquess. He should have thought that where one person alone supplied an article, it would be very difficult to secure competition; whereas, he understood the noble Lord to put a case where, with a great many persons supplying an article, it would be difficult to secure competition. If the circumstances had been exactly reversed they would perhaps have brought about the conclusion the noble Lord wished the Committee to adopt.

THE MARQUESS OF HARTINGTON said, that what he had stated was that where there was only one consumer of the article it was very easy for a limited number of contractors to combine together and charge what they liked. He had mentioned before that only one contractor, Mr. Tait, of Limerick, supplied clothing to the War Office. This was not because there was any restriction of competition, but because, being a large contractor, he was able to supply clothing cheaper than other persons.

MR. DISRAELI said, he did not think the explanation of the noble Marquess threw any light on the matter. Why should the noble Marquess assume that there was only a limited number of persons who could supply the particular article? Monopoly depended upon the fact of there being only one person who could supply, and not of there being only one who could demand. The suggestion that only a limited number could supply in this case seemed to him quite gratuitous, and where only one person required and an unlimited number could supply, he should have thought the circumstances would lead to a cheap supply. The fallacy of the noble Lord was that only a limited number could supply these articles.

GENERAL PEEL said, he understood that there was only one contractor. While he was Secretary at War the institution at Pimlico was brought into operation, and there were a great number of contractors. On two occasions of late years there had arisen two emergencies calling suddenly for a large increase of clothing, the Crimean War and the Indian Mutiny. When the War Department was remodelled it was Lord Panmure's view upon the experience of the Crimea that the army should have always in store a good stock of everything wanted. When he entered upon office £300,000 was spent upon a building to contain all the stores necessary. In the fortification scheme which Lord Palmerston proposed, a great central depôt for stores was included, and up to the beginning of last year Lord Palmerston had not abandoned that idea. A moderate store of clothing ought to be kept in readiness for sudden calls, but there was no need to supply a very large reserve.

THE MARQUESS OF HARTINGTON said, that if the hon. and gallant Gentleman (Major Stuart Knox) would tell him privately from which regiments complaints of the clothing had been sent in he would inquire into the matter. The clothing kept at Pimlico was clothing which had accumulated in consequence of more having been provided for regiments than was required; but he was not aware that it ever had been intended to keep up a large stock of ordinary regimental clothing. He believed the clothing of the cavalry was made in the regimental workshops.

Vote *agreed to.*

(3.) £603,300, Barrack Establishment Services and Supplies.

LORD NAAS said, the Committee would recollect that it was discovered that the War Department had resolved to take on lease from the Office of Woods and Forests the whole of the Curragh of Kildare for a certain number of years. That proposal naturally created considerable alarm, and led to the waiting of a deputation, of which he was one, upon the Secretary of State, who undertook to put off all further proceedings with regard to the Curragh until the parties interested had an opportunity of expressing their opinions, and until inquiry could be made. They expected that an inquiry would be held upon the spot; but nothing of the kind took place. During the recess, in the month of November, notice was given in the local newspapers of a Bill to be brought in by the Woods and Forests, which caused the greatest consternation in the minds of those who took an interest in the subject. The proposal was to divide the Curragh into two parts, to be applied to military purposes, including those of the War Department. He wished to know whether that Department sanctioned or approved the proposed arrangement? The military authorities at the Curragh, almost to a man, were averse to the principle of the scheme, as being useless for military purposes, and as being likely to impose unnecessary trouble and expense. Furthermore, it would cast upon them increased and very onerous duties. In Ireland the project was regarded with great suspicion and dislike; it had excited a great amount of hostile feeling, and very general satisfaction would be afforded if the noble Lord were able to give an assurance that, as far as the War Department were concerned, the scheme had been definitely abandoned. To carry it out would be impossible, without the greatest infringement of public and private rights ever attempted by a public department.

MR. CHILDERS said, it would be his duty in a very few days to introduce the Bill alluded to by the noble Lord, but its provisions would be very different from those which had been described. So far from tending to infringe any vested interests, the Bill aimed at discovering, by a judicial process, what rights actually existed. Commissioners would be appointed to examine all rights existing in connection with the Curragh, and from their decisions an appeal would lie to the highest court in Ireland. When the Bill was brought in the noble Lord would see that it was really an attempt to remove a scandal of the present condition of the Cuaragh, and he hoped that meanwhile the merits of that measure would not be prematurely discussed.

LORD NAAS said, the object he had in

view was to ascertain, whether in the opinion of the War Department one-half the Curragh should be set apart for public purposes? That was a perfectly legitimate question.

MR. COGAN said, he could corroborate the statement of the noble Lord the Member for Cockermouth as to the feeling excited in Ireland by the threatened measure of the Government. He trusted that the noble Marquess the Secretary for War would be able to assure the Committee that the influence of a great public department like the Department of Woods and Forests would not be brought to bear unjustly and harshly against poor commoners, who would be without power of resistance. The common rights of those dwellings on the borders of the Curragh had been seriously encroached upon by the formation of the camp at the Curragh; but, recognizing the importance of the public object involved, they submitted without remonstrance to the sacrifice of some of their private rights. Now, however, it was proposed to extinguish rights which had existed for centuries, and some even that were guaranteed by charter dating from the reign of Charles.

MAJOR STUART KNOX said, he wished to ask the Secretary to the Treasury to explain why the sum of £320 paid to the ranger of the Curragh was not given to a retired military officer instead of a civilian?

THE MARQUESS OF HARTINGTON said, that so far from the condition of the Curragh being in all respects satisfactory, he was lead to believe that in many respects it required amendment.

LORD NAAS: But the military authorities at the Curragh are opposed to this particular form of amendment.

THE MARQUESS OF HARTINGTON said, he had heard nothing to that effect. The General commanding and the principal officer of engineers were certainly not in favour of the proposal to leave the Curragh as now existing, but he had not heard of any remonstrance from them with regard to the Bill about to be introduced. He was surprised to hear any objection made to the course taken by the authorities in the matter, for he understood that they were merely acting in conformity with the wishes expressed in that House last year. He could state that they did not intend to interfere in any way with the private rights or to confiscate any man's property. The rights of the real commoners—as distinguished from usurpers—would be preserved, and would even perhaps be rendered more valuable than ever under the proposed arrangement. With regard to the case of the ranger he had to observe that the position of that officer had formerly been a mere sinecure; but since the occupation of the Curragh by troops he had to discharge very onerous duties; and it was therefore thought proper that an addition should be made to his salary.

MR. M. MORRIS said, he was anxious to direct attention to another point connected with barrack accommodation at Galway. They had already discussed and admitted the right of the military authorities to act as tradesmen; but he could not bring himself to believe that the War Department engaged with propriety in agricultural operations. Yet, what was the fact? Ten or twelve years ago, in the western province of Ireland, they acquired from a fund established for charitable purposes possession of a plot of land, with the object, as was then stated, of erecting barracks upon it. From that day to the present they had never erected any buildings of such a character on the land which they thus obtained under false pretences. On the contrary, they re-let it to an under tenant for agricultural purposes. They had even established a salmon fishery and let it to a tenant, but that was found to be illegal and was suppressed. Perhaps the next thing they did would be to lay down an oyster bed. This land had been, in fact, obtained under false pretences. Their operations had been attended with another very remarkable result. They asked the Midland Great Western Company to make a deviation from their line as originally laid down in order not to interfere with the proposed barrack accommodation; the company opposed that demand, alleging, through their secretary, that they saw no indication of any serious intention to construct a barrack; but Colonel Luard having sworn that that work was to be forthwith commenced, the company, after having appealed in self-defence to the legal tribunals, were defeated. The Board of Ordnance, backed by the public purse, opposed, unless they agreed to widen a road nearly a mile in length from the barracks into the town. The road was made at an expense of several thousand pounds, which ultimately fell on the ratepayers of the district. This had taken place in 1855, but the barracks had not yet been built; and when recently it became necessary to send troops to Galway, where for the last ten or twelve years no soldiers had been seen except on furlough, there was no fit building for their reception. The Department had no right to take land for barrack purposes and then to let it as middlemen for profit. He hoped the noble Marquess would be able to give some satisfactory explanation why, when ground for the erection of barracks had been taken so many years ago, a building which was so necessary for the safety of that part of the country, the town being filled with soldiers to enforce the suspension of the Habeas Corpus Act, had not yet been proceeded with.

COLONEL BARTTELOT wished to know why this large sum had been lumped together? He observed that £73,000 for musketry-drill, &c., was one of the items mentioned in it. His hon. and gallant Friend the Member for Berks had called attention to the subject of musketry instruction, and pointed out its expense. He should like to ask the noble Marquess to state clearly what was the expense of this musketry instruction. It would be well if all the items connected with it were placed side by side, so that they might see what was expended on it in the army. In page 14 there were charges of £1,065 and £598 for captain-instructors of musketry and assistant-instructors of musketry, in addition to regimental pay. Then, there was this Vote, which included "musketry;" but it was impossible to say how much belonged to musketry and how much did not. On page 32 there was £1,000 charged as

> "Allowance to officers and non-commissioned officers while under instruction at Hythe, Fleetwood, and Shoeburyness or in the regiments of the Line."

Again, on page 45, there was a charge of £64,000 for "purchase of land and erecting rifle ranges, huts, &c., for 700 men." On page 68, also, there were two items of £35 under the heads of Hythe and Fleetwood, for schools. It would certainly be convenient for the Committee to have all these items under one head, in order that they might see what instruction in musketry in the army really did cost. The subject was one that ought to be seriously inquired into.

THE MARQUESS OF HARTINGTON said, they had tried to make the Vote as intelligible as they could, but he was not sure that the rule suggested by the hon. and gallant Member would be found at all convenient. Vote 4 contained the charges for barracks and charges paid by barrack masters. To put in that Vote charges which properly came under the Works Vote would be extremely inconvenient, and would entirely frustrate the object in view of making some one in the Department responsible for the expenditure under it. With regard to the observations of the hon. Member for Galway (Mr. Morris), he must say that he could not be responsible for the acts of the Board of Ordnance eleven years ago. The narrative of the hon. Member certainly showed that he was more careful of the interests of his constituents than his predecessors had been; but all that could be said in reply to the question raised was that inquiries should be made into the matter, and if it were found that no present intention existed to erect barracks on the ground referred to, whatever was right under those circumstances should be done. At the same time, he would remark that he had not gathered from the hon. Member's observations what he desired the War Department to do. Was it his wish that the land should be re-sold?

MR. M. MORRIS said, that he did not complain of the ground having been bought, but that the barracks had not been commenced. He was of opinion that, taking into consideration the number of the people of Galway, and the size of the province of which it was the capital, barracks should be erected there on the land bought for the purpose. As matters stood, the War Department seemed to have fallen asleep over the matter.

GENERAL PEEL said, the engineer officer had in 1855 reported against the erection of barracks at the spot. No sum of money whatever appeared to have been taken for the barracks referred to.

MR. M. MORRIS said, that there should have been.

MR. WHALLEY said, he wished to inquire, respecting the item of £11,682 for deodorizing and emptying cesspools, whether any uniform system had been followed by those who did the work. Would the system practised at Knightsbridge be extended to other barracks?

COLONEL PERCY HERBERT said, he wished to call attention to the subject of promotions. The warrant laid down in the tenth paragraph that the primary ground for promotion should be personal merit as exhibited by zeal, ability, and general good conduct, as well as length of service. That, in his opinion, was very vague. It was not desirable that promotion in the whole Department should depend primarily upon the option of the Secretary of State for the time being. He hoped the question would be considered, and that a portion at least of the promotions would be ordered according to seniority, as was the case in other departments.

The Marquess of HARTINGTON said, he was not aware that the warrant read by the hon. and gallant Member was different from warrants of the same character in other branches of the service, but he knew that all departments of the War Office possessed the power to bar the promotion of an inefficient official. This was thought right on the principle that a man might be usefully employed in an inferior capacity and be deemed incompetent to fill a more important office. He would cause inquiry to be made respecting the matter referred to by the hon. Member for Peterborough (Mr. Whalley).

Vote *agreed to.*

(4.) £41,100, Divine Service.

(5.) £22,000, Martial Law.

Lord HENRY PERCY asked, whether the Government would consider the advantage to be derived by the army from making the office of Judge Advocate General permanent? Much discussion had arisen of late upon the subject of courts martial; and he was of opinion that a stop should be put to all comment on the proceedings of such courts, for discipline could not be maintained in the army if it were permitted that officers should be loaded with abuse. With respect to the appointment of Judge Advocate General, he would remark that the gentleman appointed was generally a barrister and a political adherent, not cognizant of military law and totally ignorant of military discipline. The moment he took office he had to go to school to learn his duties, and the chances were at the end of six months he would be turned out. Another would then be appointed who in his turn had to go through the same course. It was desirable that his decisions should be uniform. At present the duties were performed by the Deputy Judge Advocate. Judge Advocates should be appointed exactly in the same manner as the Judges of the land; and, as the Secretary of State for the Home Department was the mouthpiece in Parliament for the Judges of the Superior Courts, so the Secretary of State for War should be the mouthpiece of the Judge Advocate.

The Marquess of HARTINGTON said, that the question was one of great importance. Very possibly considerable convenience and some material advantage might arise from a change which made the office of Judge Advocate permanent and not temporary. But there were a great many reasons which made it necessary that the Government should have the assistance of a legal adviser in the House of Commons on military questions. The Judge Advocate was not the only officer in the Department. The Deputy Judge Advocate not being removable with a change of Administration, an uniformity of practice was to a certain extent secured. On the whole, he could not see that sufficient advantage would arise from making the change proposed.

Lord HENRY PERCY said, he thought it would be better if the Judge Advocate General were not obliged to attend the House. He would be more profitably employed in the work which was now performed by a subordinate.

Mr. SANDFORD said, that the noble Lord who had just sat down did not appreciate duly the functions of the Judge Advocate, who was the legal adviser of the Government. He might as well propose to make the Attorney and Solicitor Generals permanent officers. It was a question, however, for the Government to determine whether the Judge Advocate should not be relieved from his *quasi*-judicial functions.

Lord HENRY PERCY said, that the Admiralty was not provided with such an officer.

Sir CHARLES RUSSELL said, he wished to draw attention to the Report, by Colonel Henderson, on Military Prisons in 1864, in which the erection of a prison at Aldershot was recommended. He could himself speak of the necessity of a new military prison at Aldershot. At the same time, he was very glad that the new prison had not been built. He had been told by a good authority that in the military prisons in France the practice was to utilize the whole of the prison labour. Now, any one who had gone through our military prisons must have been struck with the amount of useless labour performed. One gang of prisoners were made to carry shot and to pile it up at one end of the yard, and another gang were sent to unpile it. The Governor at Aldershot had assured him that if he were permitted to utilize the prison labour the prisoners might earn easily their entire subsistence. Shot-drill produced a kind of sulky acquiescence in an occupation which went, as nearly as possible, to turn a man into a brute. The prisoner came out a weaker, and not a stronger man; and as soon as he returned to the ranks he took the first opportunity of having a drink. The result was, that as much liquor as would have done him no harm the week before he went into prison, made him drunk, and he soon found himself in confinement again. There was a great difference in the offences committed by military prisoners as compared with civil offences, and they required a different treatment. The principal offences were drunkenness and insubordination. They ought to make an effort to carry out to a greater extent that which the military inspectors had certified to be beneficial. Suppose a military prison were to be built, he ventured to suggest that it should be capable of containing not 400 but 1,000 men, as that would comprehend nearly all their military prisoners, the average number being 1,005. At Aldershot the sewage had been applied to eighty acres, and had rendered them very fertile. He suggested that the rest of the 1,000 acres belonging to the Crown there should be similarly treated. The prisoners, besides reclaiming the land might be employed in forming gardens for the soldiers. It appeared that only eighty out of 340 prison labourers at Aldershot were usefully employed. A very high authority had objected to his suggestions on the ground that they would make prison labour an indulgence, that forced labour was never useful, and that the expense of the diet would counterbalance its advantages. He had made inquiries as to the diet, and had found that it would only be the addition of eight ounces of bread a week per man when outside the prison. It was a great reflection on this country that we should treat military prisoners with so much severity as we did.

MR. THOMAS CAVE said, he had visited in 1859 the convict establishment at Kingston, in Canada, where at least 1,000 convicts were confined, and was informed that the prisoners were hired out annually by auction to the highest bidder to be employed in various kinds of labour. By this system, in addition to the whole cost of the establishment, including their maintenance, being defrayed, the Government cleared a profit of £40 a day, being 10*d.* a day on each prisoner. That was a proof that it was possible to employ the convicts in outdoor labour without loss to the country.

THE MARQUESS OF HARTINGTON said, the subject was one that deserved attention. The prison regulations for the military prisons had been recently drawn up by a committee of gentlemen who had a large practical acquaintance with the discipline of prisons. The chief objection that could be offered to the scheme of the hon. Baronet was that it would render prison labour too agreeable, so that it might prove rather an indulgence than a punishment, and so lose its deterrent effect. It had been found that unproductive labour, such as shot-drill, was regarded by the convicts as far more severe and tedious than useful labour, and it was, therefore, looked upon as being a more effectual punishment. Still, he saw no reason why there should not be further inquiry into the subject, since it was difficult to understand why the punishment of military should be more severe than that of civil prisoners.

Vote *agreed to.*

(6.) £246,500, Hospital Establishments, Services, and Supplies.

(7.) £842,600, Disembodied Militia,

SIR JAMES FERGUSSON said, he wished to call the attention of the noble Lord to the case of a very deserving class of militia officers — namely, the militia quartermasters. The War Office must be fully aware of the great advantages that had resulted from the changes which had already been introduced into this branch of the service, as while there was considerable difficulty in recruiting for the army, recruits were easily obtained for the militia, and the men were always anxious to be re-enrolled, and it was therefore a pity to permit a grievance that might easily be remedied to remain. The quartermasters of the military were chosen from among the old non-commissioned officers of the regular army, and on their appointment to a militia regiment they received altogether, including their pension of 2*s.* a day, the sum of 7*s.* a day, while they ranked with junior lieutenants. But when the regiment to which they were attached was disembodied, their pay, unless they had been embodied for ten years, was suddenly cut down to the 2*s.* a day they derived from their pensions as non-commissioned officers. That was a great hardship upon men who had been accustomed for years to means which enabled them to live in comparative comfort, and who had occupied a gentlemanly position. It was not creditable to the country that a man who was incapacitated at sixty years of age should be sent adrift with such an allowance as could not support him. One quartermaster was subject to epileptic fits, and on retiring was only given the allowance of a non-commissioned officer. He did not desire an immediate answer from the noble Lord, but he put it to him whether it would not be possible at a small cost to provide the militia quartermasters with a retiring allowance?

Mr. O'REILLY said, he begged to supplement the statement of the hon. Baronet by observing that the only pension a militia quartermaster could get was 3*s.* a day, and that he could only obtain after ten years' uninterrupted service in an embodied regiment. The cost to the country would be but small if a retiring pension were given them on easier terms. There were also two petty economies practised with regard to these men which were unworthy of the country, while they involved great hardship to the men. In the first place, though all quartermasters in the army were entitled to 6*s.* 6*d.* a day, the militia quartermasters when—on their regiments being disembodied—they were retained in the service for other duties, were mulcted of 1*s.* 6*d.* a day, while their work was harder. There was another petty and worthless economy which was practised towards them. The lodging allowance, or, as it was now called, the commuted lodging allowance—for lodging, fuel, and lights—was 14*s.* a week when the regiment was embodied and barrack accommodation for them was not to be had. When the regiment was disembodied this allowance was cut down to 8*s.* a week, a proceeding injurious to the quartermasters and not worthy of the country. It might be said that 5*s.* a day was quite sufficient when the regiment was disembodied, because then they had less work; but the fact was, they had far more work, for they had to keep the whole of the stores in order, and also the stores of the Volunteers, without the assistance which they would have when the regiment was embodied. The matter was inquired into before the Royal Commission on the Militia but not redressed, though General Doyle had stated before it that the case required consideration.

Major STUART KNOX said, he hoped that if militia, whether English or Irish, were to be quartered in Ireland, they would not be billeted, but placed in barracks, as in the former case they would be exposed to great temptation from the Fenians and others.

Colonel GILPIN said, he thought 5*s.* a day was fair remuneration for quartermasters when the regiment was disembodied, for he could not agree with the hon. Gentleman opposite that they had then more to do. But he thought after a certain period of service, when they had got too old to be useful as quartermasters, it was rather hard that they should have to fall back on the small pensions they had earned when non-commissioned officers of the Line. They were a deserving body of men, and a small addition to their pension, of say 2*s.* 6*d.* a week, would be very acceptable.

The Marquess of HARTINGTON said, that where there were barracks the authorities invariably took care the militia should be quartered in them, and where soldiers were in possession that the barracks should be vacant at a convenient time when the militia were in training. But there were some places where there were no barracks. With regard to the quartermasters, it was quite possible that the terms upon which they obtained a retiring allowance might be taken into consideration. But the Royal Commission on Militia, which had made inquiries into the case, had issued no recommendations in their favour. He could not agree with the hon. and gallant Officer who thought that 5*s.* a day was not an adequate remuneration when the regiment was disembodied. The quartermasters were invariably drawn, as they ought to be, from the non-commissioned officers.

Colonel SYKES said, he wished to ask for an explanation for the increase of the Vote for the clothing of the Militia from £115,000 last year to £175,514 this year, though the number of men was about the same in both years.

The Marquess of HARTINGTON said, the clothes of the Militia regiments lasted generally five years; several regiments were embodied five years ago, which rendered it necessary now that they should be supplied with fresh clothing.

Vote *agreed to.*

(8.) £85,200, Yeomanry Cavalry.

Mr. BARNETT said, he wished to inquire whether it was contemplated to supply the Yeomanry Cavalry generally with an improved modern pattern of carbines. He understood that several regiments were so supplied while others were not. He was aware that to a great extent the cavalry soldier was chiefly dependent on his sword, and that there was not time when the Yeomanry Cavalry were called out to do much more than practice that weapon. Inasmuch, however, as they were often employed for skirmishing duty, it might be worth while to give them a more efficient weapon than the old carbine. He reminded the noble Marquess that as there were now butts almost all over the country, supplying the cavalry with improved carbines might induce the Yeomanry Cavalry to enter into frendly competition with their fellow volunteers, and thus while it would promote cordiality of feeling it would at the same time familiarize them with the use of their weapons.

THE MARQUESS OF HARTINGTON said, that some Yeomanry regiments were already armed with rifle carbines ; but he was not aware that the stock was sufficient to arm the whole force. He rather thought it was not ; but as the cavalry were by degrees armed with breech-loaders there would be a sufficient number of rifle carbines available for arming the Yeomanry Cavalry.

Vote *agreed to.*

(9.) £348,100, Volunteer Corps.

MR. SANDFORD said, that he was requested by the officers of the several corps of Volunteer Engineers to call the attention of the House to the fact that while the Volunteer Engineers only received the same capitation grant as the members of the other branches of the Volunteer service, their expenses were far heavier. This he considered a real grievance. They had to pay for land hired for the purposes of engineering drill, for the material required for gabions and bastions, for the transport of materials for engineering works, and for additional store accommodation. In addition to these items, when any stores supplied by Government were lost the Engineer officers had to defray the expense ; and, they were compelled to wear a scarlet uniform, which was very expensive. They asked from the Government an additional grant of £1 a head per annum, and as the entire number of Volunteer Engineers was 2,500 the increase would entail an additional expense to the country of only £2,500 a year. It might be said that the present was not the time to increase the amount of the Estimates. In answer to that objection, he would call the attention of the House to the fact that several Yeomanry corps to which grants would be voted would not be called out for active service during the present year. He thought that a portion of the surplus fund thus obtained ought to be given to that most deserving branch of the Volunteer body, the Engineers.

COLONEL GILPIN said, he wished to bring under the notice of the House the case of the inspectors of Volunteers, whom he thought were inadequately paid. The pay of the adjutant of a Volunteer regiment was 10*s.* a day; while the inspector, who held the rank of captain, only got 9*s.* 6*d.* a day. The adjutant might have more continuous work, but the inspector, besides being of higher rank, had far more responsibility, and had to see that the adjutant and the other officers did their duty properly. The assistant-quartermaster-general, who was only the equal in rank of the inspector, received 14*s.* 3*d.* a day, and he hoped the Government would take into consideration the propriety of increasing the salary of the inspectors.

COLONEL EDWARDS said, he quite agreed with the hon. Member for Maldon, that as £6,000 could be dispensed with in the Vote for the Yeomanry for this year, in consequence of the prevalence of the rinderpest in many counties, that sum could not be better disposed of than upon the Engineer Volunteers, whose expenses were necessarily much heavier than other Volunteer corps. He could bear testimony to the efficient services that the Artillery Volunteers were prepared to render, in the event of their being called out, in defence of their Queen and country.

COLONEL NORTH said, he did not mean to say that the adjutants were overpaid, but there could be no doubt that the inspectors were underpaid. They ranked as field-officers and received only 9*s.* 6*d.* a day, and the travelling expenses allowed to them were notoriously inadequate. The Volunteer inspector was compelled to attend at Volunteer drill meetings, and in the towns where these were held, during their duration, it being considered a gala time, lodgings were exceedingly expensive, sometimes as much as a couple of guineas having to be paid for a bed.

MR. SCLATER-BOOTH said, he thought it unusual, when the House was in Committee of Supply on the Army Estimates, to have Gentlemen propose that the pay of a certain class of officers should be increased. Complaints had been made of the Army Estimates not being lower than they now were, and the present was not the time to increase the salaries of any class of officers. The post of inspector of Volunteers was an excellent staff appointment. The inspectors of Volunteers were, no doubt, a very valuable body of men, but it was an appointment that officers in the army were glad to obtain. The pay was of very little importance in comparison with the comfortable appointments they obtained.

LORD ELCHO said, that with reference to the question of the increased pay of the inspectors there could be no doubt that they were posts which were very much sought after by the officers of the army. It was satisfactory to know that although there was an increase this year in this Vote it was not in the staff, but in the effective of the force. The increase of £1,200 in the capitation grant represented that so many more men had this year joined the force, or that the men in the force had earned the extra 10*s*. grant, and by that amount the corps was consequently increased in numbers and efficiency. This showed the force to be in a healthy state. There was a part of the force which cost the country nothing, and did not appear in the Estimates, and to which his noble Friend did not allude when moving the Estimates, but of which some mention ought to be made, and that was the Volunteer Railway Staff Corps, which Colonel M'Murdo (the late Inspector General of Volunteers) had established, and which had been attended with admirable results. Hon. Members might have seen gentlemen wearing a sort of staff uniform attending levées. They were volunteer colonels by title and rank, but occupied the position of traffic managers of the different railways throughout the country. When it was known that they were colonels without regiments, having no men to command, there would be, no doubt, an inclination to smile, and he confessed that he had had on former occasions that tendency. But it had come to his knowledge through Colonel M'Murdo, that they were a very useful body of men, and that they had organized the means of transit in case of invasion or war of a large body of men and material from one part of the kingdom to another in a very short space of time. He understood that by their organization they would be able to place within thirty hours on any given point within a certain distance of the metropolis 150,000 men, 60,000 horse, and upwards of 100 guns, and that within twenty-four hours they could collect 80,000 navvies for the purpose of throwing up entrenchments. It was satisfactory to know that that could be done, and that we could feel that a great strength was added to the force of the country by the organization of such a corps.

CAPTAIN VIVIAN said, this Vote represented the cheapest and most efficient army in the world. We had an army of 150,000 men, for which we paid £348,100 only. The army for which we paid this trifling amount was nearly as large and as efficient as that which cost £15,000,000 annually. They had been spoken of in high terms by commanding officers at reviews, and the late Lord Clyde had said that he would as soon take 50,000 Volunteers into the field as any troops he had ever fought with in the world—the only difficulty he could have with them would be in restraining them. It was highly satisfactory to hear the statement that had been made by the noble Lord (Lord Elcho) with reference to the Volunteer Railway Staff Corps. He hoped what was asked for would be given to the Volunteer Engineers.

COLONEL H. H. FANE said, it was a curious fact, with reference to the capitation grant, that the more successful it had been the more anomalous had been its effect upon the regiments. Before the capitation grant was established the regiments were very much supported by honorary members, but when the capitation grant came into operation the effect was that nearly all the honorary members ceased subscribing, and a falling off in the revenue of the regiments had consequently taken place. The pressure that had been put on the entrance fee in various regiments had also had to be dropped, and in many the annual subscriptions had had to be reduced, and the consequence was that they had very little private income whatever. The items on which the capitation grant was expended were restricted to very few, and they were rather embarrassing to commanding officers when they had other expenses of great importance to meet. A very important item was that for the regimental bands. It was said that they were merely a source of amusement; but if the bands were reduced the men would neither come to drill nor march out. The Volunteers felt that at the end of the year, when they had earned their capitation grant, they ought to be at liberty to spend it as they liked. The grant could be credited to the funds of the regiment, the commanding officer would then spend it through his finance committee, and thus a great deal of disagreeable red tape would be done away with, and the advantage of the various corps at the same time promoted.

THE MARQUESS OF HARTINGTON said, it might seem perfectly reasonable that these corps having earned the capitation grant should be permitted to spend it in the way they thought most conducive to their interests; but the restrictions imposed upon its expenditure were founded on the recommendation of a Royal Commission. It was true that the grant would have been earned, and that the country would not have to pay it again. At the same time, it was quite conceivable that if the grant were wasted the corps might suffer prejudice. With regard to the Inspectors of Volunteers, there was no difficulty experienced in obtaining fit officers of that class for the present scale of pay and allowances; and those officers were perfectly aware of what their emoluments would be when they accepted their appointments. He admitted that the deputation of Engineer Volunteers who went to the War Office the other day made out a tolerably good case for an increase in the amount of the capitation grant paid to their corps; but he was not sure that they had heard the case of all the other corps in that matter. He did not understand that the capitation grant covered the actual expense of any Volunteer corps; and under the existing regulations the claim put forward on behalf of the Volunteer Engineers could not be acceded to.

Vote *agreed to.*

(10.) £45,000, Enrolled Pensioners.

(11.) £965,800, Manufacturing Establishments.

COLONEL SYKES said, he wished for information as to the amount of £232,476 for gun factories, and as to the number and size of guns that were to be turned out of the Royal Factory this year. In the French Estimates the quantities of metal, &c., were given, and the number of guns that were to be made from those quantities. Such information as that was very desirable. At present they had not the means of knowing what the guns to be manufactured would cost.

GENERAL PEEL said, he wished to ask, how the sum of £172,974 taken for the Royal small arms factory was to be spent—whether in the manufacture of new arms or in the conversion of the Enfield rifles into breech-loaders?

THE MARQUESS OF HARTINGTON said, that only a lump sum had been taken for the small arms factory, for the very reason that they did not yet know how that sum would be expended. If they should be so fortunate as to be able to decide on the matter of the new breech-loader before the conclusion of the next financial year, they would expend as much as they could in the manufacture of that arm; but at present he thought the greater part of the Vote would be expended in the conversion of the Enfield rifle to the Snider pattern. It would probably be necessary to manufacture a certain number of small arms of some kind, and possibly they would be breech-loaders. With regard to the Question put by the hon. and gallant Member for Aberdeen (Colonel Sykes), there would not really be much use in placing in the Estimate the information he desired. It was all given in the balance-sheet, which would be laid on the table in a few days, and which would show in what way the money voted in previous years had been expended. They could tell the hon. and gallant Member what guns they proposed to make in the ensuing year, but he would not be able to check the sums from that, because a large portion of the money taken for the gun factory was spent upon the repairs of guns and gun-carriages.

GENERAL PEEL said, he wished to inquire how much of that Vote would be spent for the navy?

THE MARQUESS OF HARTINGTON said, he did not know. He could not recollect that in any of the Estimates which he had seen any distinction was made as to the portion of the sum that was taken for the navy. If the right hon. Gentleman had given him notice he would have supplied him with the information.

COLONEL BARTTELOT said, the country would not be satisfied with the information given as to the manufacture of small arms. He took a very great interest in the small arms factory, and was most anxious to know with what weapon our soldiers were to be armed. The Government had lately tried one pattern, the Enfield, that had signally failed, and now they were about to try another, the Snider, but what guarantee had they that it would answer any better than those that went before? A breech-loading rifle had been adopted by the army of a powerful nation on the Continent. [The Marquess of HARTINGTON: What army?] The Prussian. Such rifles were used in the late war by the soldiers of Prussia, and he believed they had them before that period, while England, the richest nation in the world, in the 19th century, was without a breech-loading rifle for her troops. It might be true that the best kind of rifle had not yet been found out, but one had been invented which was much better than that now supplied to the soldiers. This was a matter of great importance, and the Vote ought not to be agreed to without more information from the noble Marquess.

CAPTAIN VIVIAN said, he wished to ask what were the duties of the superintendent of the machinery?

THE MARQUESS OF HARTINGTON said, the item of machinery, although it appeared for the first time in the Estimates for the present year, was not a new item. Mr. Anderson, who was formerly assistant-superintendent of the gun manufactory, combined with that appointment the superintendence of the machinery, but now he had nothing to do with the guns, and devoted the whole of his attention to the machinery. He was a professional engineer and well qualified to enter into the details of machinery. The Prussian was the only nation he had ever heard of using a breech-loading rifle. This was well known to the War Department; but they would rather preserve the arms they had than have such a clumsy, awkward heavy weapon as the Prussian breech-loading rifle was deemed to be. The French and English Governments began to consider the subject at the same time, but the French had made no more progress than we had. It was a very difficult question; but he thought the experiments which had been going on during the last year would turn out not to have been altogether in vain.

MR. CORRY said, he should like to know what were the intentions of the War Office respecting those ships built on the broadside and those on the turret principle, which were to be furnished with 600-pounder guns?

LORD ELCHO said, that he had on a former occasion called the attention of the House to the subject of the manufacture of small arms. A Committee was appointed to decide between the several systems of rifling, and two years ago they recommended the adoption of a particular principle; but instead of attending to that recommendation, the War Office had gone on for the last two years steadily ignoring the recommendations of their own Select Committee. A Vote was passed annually for the manufacture of arms which had been condemned by that Committee. He protested against the argument of the noble Lord, that because other nations had not got a breech-loading rifle we were justified in remaining in our present position. Prussia had for the last twenty years been armed with breech-loaders, and how could we expect to get a good one when the inducement to our gunmakers was only £70, whilst a small country like Switzerland offered £800. So long as the present system was in force it was not surprising that the gunmakers did not come forward with improvements in the manufacture of breech-loaders. He wished to give notice that to-morrow he should ask whether the noble Lord had any objection to lay on the table any correspondence which had taken place between the War Office and the gunmakers, assigning their reasons for not having accepted the competition into which they were asked to enter by the Government.

COLONEL EDWARDS said, that during the last fifty years the weapon employed by the Prussian army was the needle-gun, which at one time was highly estimated by the military authorities. Latterly, however, it had become unsuitable for the requirements of the field. He believed, that if Her Majesty's Government would offer a sufficient reward for the best breech-loader, the gunmakers of England would produce a weapon quite superior to anything yet accomplished.

THE MARQUESS OF HARTINGTON said, that his noble Friend (Lord Elcho) was not quite correct in his remarks concerning small arms. The War Office had obtained a good pattern, and the money that had been expended upon it, he thought, had not been thrown away. The sum of £70 which had been offered to the gunmakers was not tendered as a reward, but for defraying the expense of preparing rifles for competition. The Government were prepared either to give a reward to any person who invented a satisfactory weapon, or else to employ him to a considerable extent in manufacturing rifles for the army. No doubt the sum of £70 was not sufficient to cover the expense to which a maker was put in preparing a specimen, and a larger sum would, therefore, be offered in the next competition. Every one knew that the Woolwich gun combined the system of Sir William Armstrong with a modification of the French system of rifling, to which Colonel Palliser had contributed more than any one else, and that officer had not made any complaint, nor expressed any dissatisfaction. He really did not know who were the inventors whose brains had been picked and whose inventions had been stolen. There were six 600-pounder guns included in the Estimate. One gun had been used in many experiments at Shoeburyness, and it had received some damage, but improvements had been introduced since it was made.

Lord ELCHO said, his point with reference to the manufacture of these small arms was, that since the Committee reported some years ago the War Office had manufactured over 100 stands of an arm which was inferior to that recommended, although the requisite alteration in the machinery could have been made at the expense of a few shillings.

Vote *agreed to.*

(12.) £428,000, Military Store Establishments and Warlike Stores.

Sir MATTHEW RIDLEY said, he wished to ask for an explanation of the item of £5,500 for "Hire of horses, Woolwich, for the Removal of Stores." He thought it very large.

Mr. OLIPHANT desired to call attention to grievances complained of by the officers of the Military Store Department, in which there was a stagnation without parallel—indeed it seemed to proceed on an inversion of the ordinary principle, so that the longer men had been in the service the lower seemed to be their rank. There was no one among the colonels who had served so long as the lieutenant-colonels, nor of the lieutenant-colonels so long as the majors, nor they so long as the captains, while the lieutenants had served longest of all. There was one officer who, at the average rate of promotion, would have to serve actively seventy-three years and reach the age of 110 before he could attain a higher rank. There were anomalies in pay as well as in promotion, and a man who once had £500 a year had steadily risen until his income now was £300 a year. Under such an extraordinary state of things, there could be no wonder that there were great complaints in all the ranks of that service with the exception of the upper rank. The Department contrasted most unfavourably in these respects with the Commissariat Department, and he was sure that an improvement would promote a better feeling than now existed, and would be attended with advantageous results. He gave notice that he should move for the following Returns:—Of the names of the officers of the Military Store Department; departmental grade; relative rank; length of service, distinguishing the periods served in each grade, including the time passed in a clerical capacity; nature of duties at present assigned; pay; amount of charge pay in those cases where an officer was in charge of a station; approximate value of stores under the officer's charge; the period which had elapsed since last promotion; rate of amount of retiring pay.

The Marquess of HARTINGTON said, he could not give to the hon. Baronet opposite (Sir Matthew Ridley) a detailed explanation of the item for the removal of stores, but it did not strike him as being excessive, for stores were being constantly landed and shipped at Woolwich, and, in fact, there was a movement going on amongst them during the whole day long. With regard to the Military Store Department, which was a most important one, and the officers of which were most meritorious and hard-working men, he supposed the remedy for the grievances complained of would be the assimilation of the Store Department and Commissariat Department; but such a proposition would involve, not a reduction of the Estimates, but a very considerable increase of them. The Commissariat Department was organized with higher grades of officers simply because the duties were considered by those who organized the Departments to be more responsible. If there had been any considerable stagnation of promotion in the Store Department, it was owing to the fact that the re-organization in 1859 and 1861 placed a great many young men at the top of the service, and a number of old men at the bottom of it. The hardships resulting from these arrangements would be gradually remedied, but it was impossible to obviate them. In former times when a gentleman was appointed storekeeper he had little prospect of promotion; but now, although promotion was not rapid, the prospect of it was supplemented by other substantial advantages. He could not understand the case of a gentleman whose income had fallen from £500 to £300 a year, unless he had at some time received extra pay for the performance of extra duty.

Sir MATTHEW RIDLEY said, the answer to his question was not quite satisfactory. He had come to the conclusion that the item of £5,500 for the conveyance of guns was an unreasonable one, considering the really admirable way in which the surface of the road over which the guns were conveyed was kept, and its great hardness. The noble Lord suggested that it was possible he might not have been at Woolwich, but although a civilian he had been to the arsenal there, and had come to the conclusion that the item of £5,500 for horse hire for the removal of stores was unreasonable in amount. He thought the military horses might be used and thus the country be saved expense. He did not wish to divide the Committee on the subject—it was not his habit to do so—but he desired to have a more satisfactory answer. He had no desire to obstruct the Government in getting the necessary supplies for the service of the country, but he did think the Government authorities should give the Committee some further explanation upon that point. If he did not receive a satisfactory answer he should be obliged to divide the Committee.

THE MARQUESS OF HARTINGTON said, he must express his regret that he could not give the hon. Baronet a more satisfactory answer, but he did not know in what way he could do it. He really did not know what horses were employed.

SIR MATTHEW RIDLEY said, he would be satisfied if the noble Lord would reserve the Vote for a future occasion or give the information on the bringing up of the Report.

THE MARQUESS OF HARTINGTON said, if he could get the necessary information for the hon. Baronet in time he would give it with the Report. He did not propose to take any other Vote on the Army Estimates that night.

Vote *agreed to.*

MR. CORRY said, he wished to ask the Secretary for the Admiralty, what was the latest hour at which he proposed to proceed with the Navy Estimates to-morrow night.

LORD CLARENCE PAGET said, he could not exactly say. The only Vote which was likely to lead to discussion he proposed to defer to the next occasion.

SUPPLY—CIVIL SERVICE ESTIMATES.

MR. CHILDERS moved a Resolution that a sum not exceeding £1,828,000 be granted to Her Majesty on account of Civil Service Estimates. In doing so he explained that it was necessary to take such a Vote in advance for the current quarter to meet the expenditure of the first quarter of the financial year. The Committee on Public Monies some years ago recommended the adoption of that system, inasmuch as it was impossible to take the Civil Service Estimates at the commencement of the year, but then it was understood that the Vote on Account should involve no new principle but should be only in conformity with the Votes taken for the Civil Service during the previous year. The rule had been never to take more than a fourth part of the Vote for the year, except in the case of the site for the public offices, the Patent, and Record Offices, and, in the present instance, the Vote for Civil Contingencies, of which rather more than a fourth required to be taken because of the heavy expenses consequent on the cattle plague. The Committee, in agreeing to the Resolution, would not in any degree be pledging themselves to the Estimates for 1866-7, with regard to which the Committee would have occasion to vote in detail as soon as they were introduced.

Motion made, and Question proposed,

"That a sum, not exceeding £1,828,000, be granted to Her Majesty, on account, for or towards defraying the charge of the following Civil Services to the 31st day of March, 1867:—

Class I.	
Royal Palaces	£8,000
Public Buildings	20,000
Furniture of Public Offices	3,000
Royal Parks and Pleasure Gardens ..	20,000
New Houses of Parliament	12,000
British Embassy Houses, Paris and Madrid	1,000
British Consulate and Embassy Houses, Constantinople	1,000
Westminster Bridge	2,000
New Foreign Office	15,000
Public Offices, Site (Re-vote)	20,000
Probate Court and Registries	3,000
Public Record Repository (Re-vote) ..	10,000
Nelson Column	2,000
Patent Office	5,000
National Gallery Enlargement ..	5,000
Sheriff Court Houses, Scotland ..	5,000
Rates for Government Property ..	7,000
Harbours of Refuge	19,000
Holyhead and Portpatrick Harbours, &c.	11,000
Public Buildings, Ireland .. .. National Gallery, Dublin	22,000
New Record Buildings, Dublin ..	1,000
Lighthouses Abroad	5,000
Class II.	
Two Houses of Parliament, Offices ..	18,000
Treasury	14,000
Home Office	7,000
Foreign Office	16,000
Colonial Office	9,000
Privy Council Office	6,000
Board of Trade, &c.	17,000
Privy Seal Office	1,000
Civil Service Commission	3,000
Paymaster General's Office	6,000
Exchequer London	2,000

Office of Works and Public Buildings ..	£8,000
Office of Woods, Forests, and Land Revenues	8,000
Public Record Office	6,000
Poor Law Commissions	20,000
Mint, including Coinage	13,000
Inspectors of Factories, Fisheries, &c.	10,000
Exchequer and other Offices in Scotland	2,000
Household of Lord Lieutenant, Ireland	2,000
Chief Secretary, Ireland, Offices ..	4,000
Office of Public Works, Ireland ..	6,000
Audit Office	10,000
Copyhold, Tithe, and Inclosure Commission	6,000
Inclosure and Drainage Acts; Imprest Expenses	4,000
General Register Offices, England, Ireland, and Scotland	17,000
National Debt Office	4,000
Public Works Loan Commission and West India Relief Commission ..	1,000
Lunacy Commissions and Inspection, &c., of Lunatic Asylums	4,000
Superintendent of Roads, South Wales	1,000
Registrars of Friendly Societies ..	1,000
Charity Commission	5,000
Local Government Act Office, and Inspection of Burial Grounds	2,000
Landed Estates Record Offices ..	1,000
Quarantine Expenses	1,000

Secret Service	8,000
Printing and Stationery	90,000
Postage of Public Departments ..	38,000

Class III.

Law Charges, England	9,000
Criminal Prosecutions, &c. England ..	47,000
Police, Counties and Boroughs, Great Britain	66,000
Crown Office, Queen's Bench	1,000
Admiralty Court Registry	4,000
Late Insolvent Debtors' Court ..	1,000
Probate Court, England	22,000
County Courts	40,000
Land Registry Office	2,000
Police Courts, Metropolis	6,000
Metropolitan Police	40,000

Criminal Proceedings, Scotland ..	18,000
Courts of Law and Justice, Scotland ..	11,000
Exchequer, Scotland, Legal Branch ..	1,000
Register House, Edinburgh, Salaries and Expenses of Sundry Departments Accountant in Bankruptcy, Scotland	5,000

Law Charges and Criminal Prosecutions, Ireland	17,000
Court of Chancery, Ireland	2,000
Court of Queen's Bench, Common Pleas, and Exchequer, Ireland	4,000
Officers of the Judges on Circuit, Ireland	2,000
Manor Courts Compensations	1,000
Registry of Judgments	1,000
Registry of Deeds	4,000
Court of Bankruptcy and Insolvency, Ireland	2,000
Court of Probate, Ireland	3,000
Landed Estates Court	3,000
Dublin Metropolitan Police and Police Justices	14,000

Constabulary of Ireland	£186,000
Four Courts Marshalsea Prison ..	1,000

Inspection and General Superintendence of Prisons	5,000
Prisons and Convict Establishments at Home	85,000
Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts	72,000
Transportation of Convicts	6,000
Convict Establishments in the Colonies	10,000

Class IV.

Public Education, Great Britain ..	174,000
Science and Art Department	40,000
Public Education, Ireland	82,000
University of London	3,000
Universities, &c. in Scotland	5,000
Queen's University in Ireland ..	1,000
Queen's Colleges, Ireland	2,000
National Gallery of Ireland	1,000
Belfast Theological Professors, &c. ..	1,000
British Museum	25,000
National Gallery	4,000
British Historical Portrait Gallery ..	1,000
Scientific Works and Experiments ..	2,000
Universal Exhibition at Paris	2,000

Class V.

Bermudas	1,000
Clergy, North America	1,000
Governors and others, West Indies, &c.	6,000
Justices, West Indies	1,000
Western Coast of Africa	3,000
St. Helena	1,000
Falkland Islands	2,000
Labuan	1,000
Emigration	3,000

Captured Negroes, Bounties on Slaves, &c.	10,000
Commissions for Suppression of Slave Trade	3,000
Consuls Abroad	42,000
Services in China, Japan, and Siam ..	5,000
Ministers at Foreign Courts, Extraordinary Expenses	9,000
Special Missions, Outfits, &c.	5,000
Third Secretaries to Embassies ..	1,000

Class VI.

Superannuation and Retired Allowances, &c.	45,000
Polish Refugees and Distressed Spaniards	1,000
Merchant Seamen's Fund Pensions ..	14,000
Relief of Distressed British Seamen ..	8,000
Miscellaneous Charges, formerly on Civil List	1,000
Public Infirmaries, Ireland	1,000
Hospitals in Dublin and Board of Superintendence	4,000
Concordatum Fund, and other Charities and Allowances, Ireland	2,000
Non-conforming and other Ministers, Ireland	11,000

Class VII.

Temporary Commissions	7,000
Patent Law Expenses	8,000
Fishery Board, Scotland	4,000

Local Dues on Shipping under Treaties of Reciprocity	£14,000
Miscellaneous Expenses from Civil Contingencies	12,000
Total	£1,828,000

Mr. SCLATER-BOOTH said, he wished to ask the hon. Gentleman whether he proposed to make a general statement in explanation of the Civil Service Estimates when bringing them before the House?

Mr. CHILDERS said, it was not usual to do so, and he therefore would not pledge himself to act upon the hon. Gentleman's suggestion. The Civil Service Estimates comprised so many different subjects that it would be impossible to deal with them in a single statement. Those Estimates would show an increase of between £100,000 and £200,000 only, which would be found to be connected with Public Buildings.

Motion *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

MARINE MUTINY BILL.—COMMITTEE.

(*Mr. Dodson, Lord Clarence Paget, Mr. Childers.*)

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 27, inclusive, *agreed to.*

Clause 28 (Infliction of corporal punishment in certain cases).

Mr. P. A. TAYLOR moved the omission of the clause. He said, he would appeal to the Committee to remove from the number of our punishments that which was the most severe, the most brutal, and he thought he might say, the most barbarous of them all. We thought in this country, and not altogether without justice, that we were in the advance of civilization, and, amongst other evidences of that, we pointed to the mildness of our criminal code; but, nevertheless, we were a long time throwing over some of the slough of the old *regimé.* It was not ninety years since the abolition of the pillory, and not eighty years had passed since the law was abolished which condemned women to be burnt alive for treason. We had gone on amending the severity of our criminal law, and only the other day it was proposed that capital punishment should no longer be inflicted in the presence of a mob. He trusted the time might soon come when capital punishments should be abolished altogether; but flogging had a prior claim to be removed, for the taking away of human life was as nothing compared with the torture inflicted by the lash. The victims of corporal punishment were as a matter of course removed at once to a hospital to be treated for the injury they had received, and he therefore thought he was justified in saying that such punishment was, in fact, an application of torture. From the last Return it appeared that in the great majority of cases flogging was inflicted for insubordination—an offence the nature of which would greatly depend upon the character and temper of the commanding officer. A Return relating to the infliction of corporal punishment in the navy in 1863 showed that the number of cases in the year was 752, and in 73 cases only was the punishment awarded by a court martial. He presumed, therefore, that in 90 out of every 100 instances it was inflicted at the mere will of the commanding officer. The same Return stated that in 84 of Her Majesty's ships not a single lash had been laid on during the year. Now, if in so large a number of vessels discipline could be maintained without the use of the cat, it was not Quixotic to imagine that such a mode of punishment might be dispensed with altogether. It was said that so brutal were the class from which the army and navy were recruited that flogging was indispensable as the most economical method of maintaining subordination. His answer to that was, if it were necessary, as a means of abolishing this brutal punishment, let them employ a better class of men. He was sure the country would not grudge the expense; and then let it be a sufficient punishment for any breach of discipline to dismiss the culprit from the service. He hoped the Committee would agree to the abolition of a punishment which was barbarous and disgraceful to our navy.

Lord CLARENCE PAGET said, the hon. Gentleman seemed to be under some misapprehension respecting the Bill before the Committee. It had, in reality, nothing whatever to do either with the navy or with the Marines afloat. A certain number of Marines was voted annually for shore service, and they were under the same discipline as the army. The navy proper and the Marines afloat were under the Naval Discipline Act. The hon. Gentleman had quoted figures to show that the number of cases of flogging was very high. He might, however, inform the hon. Gentleman that, according to the last Returns, out of 8,566

Marines on shore, only eighteen had been corporally punished. The men were now getting to be of a very superior class, owing to the advantages they obtained in regard both to pay and education, and corporal punishment was diminishing annually, and would no doubt continue to do so if left to itself, but he thought the House would agree that it would not be advisable to put it down by Act of Parliament.

Question put, "That the clause stand part of the Bill."

The Committee *divided* :—Ayes 71; Noes 22 : Majority 49.

Clauses 29 to 38, inclusive, *agreed to.*

Clause 39 ("Branding").

MR. P. A. TAYLOR moved its omission.

COLONEL NORTH said, he wished to ask the hon. Member whether he really thought the officers of the army and navy took a pleasure in flogging. They resorted to it only for the purpose of maintaining discipline, but Gentlemen opposite had a monopoly of humanity. If the hon. Gentleman and his Friends would move and carry an increase of the pay of soldiers and sailors, he would render it possible to procure a better class of men.

MR. NEATE said, he would be glad to support a Motion for better pay. The only way to compel the Government to bring forward a proposition to that effect was to force them by the abolition of such punishments not to rely on the low class of men who needed them.

MR. AYRTON said, he had hoped that the discussion would be continued, not in reference to a question of money, but on the high moral principle in which it commenced. If it were merely a question between flogging and branding soldiers or sailors and increasing their pay, the former would undoubtedly be the more economical alternative. He thought the British army was not organized on a principle that recommended itself for good administration, and was by no means satisfactory. The object of flogging and branding was, perhaps, to supplement the incapacity of officers to perform the duties which devolved on them, and withdrawing the power of the lash would have the effect of securing more capable commanding officers. To listen to the remarks of the gallant Colonel opposite and other officers in that House one would fancy that the country existed for the army, and not the army for the country. He did not admit that the lash was necessary to the maintenance of discipline in time of peace. As to a time of war he would say nothing, for in a period of that kind there was violence on all sides, and when men took pay to be killed it did not seem necessary to be so particular about flogging.

MR. HUNT said, he had thought that the platform of the Radicals was "peace, retrenchment, and reform," but after the speech of the hon. Member for Oxford (Mr. Neate) it was quite evident that "retrenchment" was excised from his platform; for he now proposed that there should be a greater expenditure, and as this increased expenditure was for the purpose of having a much better military force the hon. Member could not be in favour of "peace." The question of "Reform" was to come before the House on Monday, and it would not be surprising if not the slightest portion of the Radical platform were left after that day.

MR. NEATE said, he strenuously objected to be classed as a Radical.

SIR ROBERT CLIFTON said, that when the question of humanity was raised, hon. Members who sat on the ultra-Liberal Benches would not allow retrenchment to interfere. Flogging was a disgrace to the country. The son of the postmaster of the town he had the honour of representing died under the lash at Hounslow some years ago. But branding was even worse. He had been informed by experienced officers that men after being flogged were never worth anything again as a soldier.

MR. REARDEN said, he opposed the system of branding and flogging, as being repugnant to humanity, and because he thought more effectual remedies might be applied. He considered that soldiers could be much better governed by kindness than severity.

COLONEL NORTH said, that corporal punishment was never inflicted by officers without the effects of kindness having been previously tried. No colonel had the power of inflicting corporal punishment on his own account. It must have been ordered by a court martial. He would ask, had nothing ever been heard about flogging in our gaols? Curious Returns on this point had been presented two or three years ago, from which it appeared that three boys had received forty-eight lashes of the cat-o'-nine tails for having torn the leaves out of their Prayer Book; but in the service, corporal punishment was now exceedingly rare.

Mr. OTWAY said, that the punishment of flogging was now generally regarded as barbarous and out of date. No flogging was allowed in the Indian army. It had been abolished by Lord William Bentinck. As it would be scarcely alleged that the British soldier was inferior to the Sepoy, it would be difficult to maintain that English, Scotch, and Irish soldiers could not be managed without that punishment.

Mr. NEATE said, that in reference to an observation of the hon. Member for Northamptonshire (Mr. Hunt), he would ask that hon. Gentleman what became of the Conservative "platform" to-day?

Colonel PERCY HERBERT said, that in these days when the maximum of corporal punishment which officers had power to inflict had been reduced from 150 lashes to fifty, the Hounslow case was no longer in point.

Mr. P. A. TAYLOR said, that the arguments now used to keep up the fifty lashes were exactly similar to those which had been formerly used in support of 500, 800, and 1,000.

Question put, "That the Clause stand part of the Bill."

The Committee *divided*:—Ayes 52; Noes 21: Majority 31.

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported*, without Amendment; to be read the third time *To-morrow.*

NEW FOREST POOR RELIEF BILL.

On Motion of Viscount Enfield, Bill to provide for the relief of the poor in the New Forest, *ordered* to be brought in by Viscount Enfield and Mr. Villiers.

Bill *presented*, and read the first time. [Bill 57.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, March 9, 1866.

MINUTES.]—*Took the Oath*—The Lord Bolton.
Public Bills—*Second Reading*—Princess Helena's Annuity (39); Prince Alfred's Annuity (40; Consolidated Fund (£1,137,772)*.
Third Reading—Divorce and Matrimonial Causes* (17), and *passed.*

Colonel North

INDIAN ARMY—GRIEVANCES OF INDIAN OFFICERS.—PETITION.

QUESTION.

The Earl of ELLENBOROUGH *presented* Petitions of Major General W. F. Beatson, Bengal Army, and Captain F. A. Dickins, Bengal Army, complaining of the Loss of Advantages sustained by reason of the Amalgamation of the British and Indian Armies, and praying for Relief, and asked the Secretary of State for India, Whether he has yet been able to come to any conclusion with respect to the suggestions offered by the late Royal Commission for the remedy of the grievances complained of by Indian Officers?

Earl DE GREY and RIPON said, no one knew better than the noble Earl the great importance as well as the great difficulty of this question; and he thought from what had fallen from him he anticipated the answer he was about to give. As a very short time had elapsed since he entered upon the duties of the important office he now filled, he was not yet in a position to state his conclusions as to the course that might be taken upon the Report of the last Commission with respect to Indian officers. He was very well aware of the importance of avoiding unnecessary delay in coming to a conclusion upon this question; at the same time, he was sure the noble Earl and their Lordships would agree with him when he said it was not one to be dealt with hastily or without due consideration. As soon as he should have been able to investigate the facts he would lose no time in communicating to their Lordships the conclusion at which he had arrived.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.—QUESTION.

Lord CHELMSFORD: The noble Earl the Secretary of State for Foreign Affairs has, I understand, just received a telegram relating to the captives in Abyssinia. I think it will be a source of great satisfaction and comfort to the friends and relatives of the prisoners if his Lordship can communicate any intelligence that can encourage any hope of a speedy termination of their long and severe sufferings.

The Earl of CLARENDON: Owing to the great interest the noble and learned Lord opposite has taken in the fate of the Abyssinian prisioners, I informed him last night that I had received a telegram whilst sitting in this House, and I communicated to my noble and learned Friend the substance of its contents. My noble and learned Friend said that, as the information would afford comfort to the friends of the captives, he thought it would be desirable that I should state it publicly to-day; and I have, therefore, brought it down. It is—

> "Information was received last night from Cairo that Mr. Rassam had written on the 28th of December to Colonel Staunton (our Consul General in Egypt) to the effect that, two days previously, he had got a letter from King Theodore, by which Mr. Rassam was invited to go to the King's Court. The King had sent an escort to accompany him, and had given him every facility for the journey. Mr. Rassam intended to start on the above date, and calculated to meet the King on or before the 10th of January. Things look promising, and the King's messenger gave every hope of the speedy liberation of the captives."

Of course, until the prisoners have been actually set at liberty, we cannot be quite sure of their fate; but certainly things look hopeful and promising.

THE EARL OF ELLENBOROUGH: I quite agree with the noble Earl that there is no certainty on the subject.

PRINCESS HELENA'S ANNUITY BILL.

(Earl Russell.)

(NO. 39.) SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE: In the absence of my noble Friend at the head of the Government, in consequence of indisposition—from which, however, I am happy to say he is fast recovering—I have the honour to ask your Lordships to agree to the second reading of this Bill. The object of it is to provide an annuity for the Princess Helena. I think it is almost unnecessary for me to state that with our undoubted love of our constitutional limited monarchy and our national institutions, and even apart from any respect we may have for the personages who compose the Royal Family, we must feel it our duty, owing to a sense of dignity on the part of the country, to make due provision for the Members of that illustrious Family. Your Lordships are aware that the Queen has given up the estates which formerly belonged to the Crown; but it was not intended when those estates were surrendered that the Crown should have a smaller income than it enjoyed previously. There are already two precedents in regard to measures of this character. The first is that of the Princess Royal, and the second that of the Princess Alice. In the case, however, of the Princess Alice, as Her Royal Highness was not the eldest daughter of the Sovereign, a smaller sum was granted to her than had been granted to the Princess Royal. It is now proposed to give exactly the same annuity to the Princess Helena upon her marriage as was granted to the Princess Alice, that sum being a dowry of £30,000, and £6,000 a year. The three Royal marriages already concluded—those of the Prince of Wales, the Princess Royal, and the Princess Alice—have produced unalloyed domestic happiness, and I trust that the Princess Helena will meet with the same amount of happiness in the union which is about to take place. I may venture to recall to your Lordships' attention the fact, which must be known to all, that while the Princess Alice exhibited remarkable qualities both of mind and character at the time when her Royal mother met with a great calamity, yet as she left this country shortly afterwards in consequence of her marriage, which had been arranged before the death of the Prince Consort, the Princess Helena did after that time—she being the eldest unmarried daughter of the Queen—everything in her power to alleviate the sorrows of her Royal mother and comfort her by her society during her prolonged seclusion. Every one who has had an opportunity of witnessing this is aware of the singular affection with which Her Royal Highness discharged those duties towards the Queen. I think the happiness of the Princess will be greatly increased by the fact that, while she is about to be married to a Prince on whom she has bestowed her affections, she may hope to have the happiness of residing in this country and of continuing those filial attentions to her illustrious mother which she has hitherto found to be both a pleasure and a duty to discharge. I have now, therefore, to move that the Bill be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

LORD CHELMSFORD: In the absence of my noble Friend the Leader of the Opposition, I venture to say that I think there will be no opportunity for my noble Friend to exercise the function which devolves upon him on occasions of this kind. I do not, however, hesitate to say that there is not a noble Lord on either side of the House who will not cordially join in the proposition that has been made.

On Question, *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

PRINCE ALFRED'S ANNUITY—(No. 40.)

(*Earl Russell.*)

SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE: With regard to this Bill, I may state that it is recommended to your Lordships' attention as being based on the general principle to which I have already alluded. There is not, however, a precedent for this, as was the case with the previous Bill; but I hope your Lordships, considering the great wealth of many individuals of different ranks and classes in this country, will not think £15,000 a year an exorbitant sum to give to his Royal Highness, even during his unmarried life. This proposal is not intended to affect His Royal Highness's marriage, nor is it made in contemplation of any contingency which may at some future time change his position with reference to foreign countries. The younger branch of the Royal Family enjoy a singular popularity in this country. His Royal Highness Prince Alfred has been well educated by the late Prince Consort. He has visited almost every part of the world —in Europe, Africa, and America—and he has not only visited them but he has learnt and remembered much. Besides this he has mastered various foreign languages, he has acquired a considerable amount of scientific knowledge, and is as good a classical scholar as many of those who have received their education at our great public schools. I venture to think that these facts bear upon the feelings of respect and attachment which we all entertain towards the members of the Royal Family. I am sure your Lordships will have great pleasure in concurring in the Motion which I am about to make—a Motion which is in accordance with our common sense of duty, with the dignity of the country, and with the respect due to the Crown.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

On Question, *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at a quarter past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 9, 1866.

MINUTES.]—SELECT COMMITTEE—On Mines, Mr. William Orme Foster and Mr. Bromley *added;* London (City) Traffic Regulation; East India Communications *nominated* (*appointed, Feb.* 27.)

SUPPLY—*considered in Committee*—NAVY ESTIMATES—*Resolutions* [March 8] *reported.*

PUBLIC BILLS—*Ordered*—Thames Navigation* Railway Clauses*; Waterworks.*

First Reading—Merchant Shipping Act (1854) Amendment* [58]; Thames Navigation* [59]; Railways Clauses* [60]; Waterworks* [61].

Committee—Mutiny.

Report—Mutiny.

Third Reading—Marine Mutiny; Pensions* [8].

ILLNESS OF MR. SPEAKER.

The House being met, the Clerk, at the Table, informed the House of the unavoidable absence of Mr. Speaker, and read the following Letter, which he had this day received:—

Speaker's House, March 9, 1866.

Sir,—I beg you will express to the House my great regret that I must ask leave to absent myself from the service of the House to-day. I trust that the pain from which I have been suffering will be much relieved by rest till Monday, and that I shall resume my duties on that day.—I have the honour to be, Sir, Your obedient Servant,

J. EVELYN DENISON, *Speaker,*

To Sir Denis Le Marchant, Bart.
Clerk of the House of Commons.

Whereupon Mr. Dodson, the Chairman of the Committee of Ways and Means, proceeded to the Table as Deputy Speaker; and after prayers, counted the House, and Forty Members being present, took the Chair, pursuant to the Standing Order of the 20th day of July 1855.

PRIVATE BILLS—STANDING ORDERS.

Standing Order No. 52 read.

MR. THOMAS HUGHES said, he rose to move certain Amendments of Standing Orders and certain new Standing Orders of which he had given notice. His Motion related to the destruction of the dwellings of the labouring classes consequent on the construction of railways and public works. His object was to provide a remedy for the great evil of overcrowding in the metropolis and other large cities consequent on the destruction of the houses of the poorer classes through the compulsory powers given by certain Acts of Parliament. He would not dwell on the evils of overcrowding and the urgency of the case, because these were facts which were universally admitted. There were now two Bills before the House acknowledging the evil and attempting to provide a remedy, their object being to enable local authorities to build up as many houses as might be destroyed by the companies. But though good as far as they went, it was quite necessary to supplement them by a compulsory enactment, providing that those companies which did the mischief and destroyed the houses of the poor without giving them compensation should be compelled, as a part of their scheme, to restore the dwellings and to calculate the cost of the restoration as part of the cost of their line, just as they would calculate the cost of making a cutting or a tunnel, or building a viaduct. He felt bound to say that he had been met in this matter in a very creditable spirit by the companies chiefly affected. He had seen representatives of the chief companies in the metropolis, and they stated that they were ready to accept the obligation, and that it was only putting the saddle on the right horse to make those who were responsible for the overcrowding provide a remedy by erecting fresh dwellings for those whom they displaced. They quite admitted the principle, and were ready to adopt it. The only question was how it could best be carried out. He admitted it would be impossible to impose on the railway companies these compulsory obligations this Session, but they might be very easily carried out in subsequent Sessions. To enable the House to see to what the evil was growing he would quote some information which a friend of his who had access to all the statistics had furnished. The number of persons who by the admission of the companies would be dispossessed in the present year was 17,815. These were actually admitted, and when they added a percentage which were never included in such Returns, he might safely say, and be within the mark, that 20,000 persons would be evicted. He had no idea when he first undertook the question of the difficulties with which it was surrounded; but having consulted persons competent to judge in these matters, he had prepared the Amendments and Standing Orders which were on the paper, and if the House should think fit to adopt them they would, he believed, provide the remedy which they were seeking, and which all believed to be necessary. He first proposed to move an addition to Standing Order 52 as follows:—

> "And shall specify by a denoting mark against each name which, if any, of the persons named in such book of reference as owners or reputed owners, lessees or reputed lessees, and occupiers, belong to the labouring classes; and all weekly tenants and lodgers shall be deemed to belong to the labouring classes."

Of course, a difficulty arose in defining who "the labouring classes" were, but it was one more in appearance than reality, and of which it might be said *solvitur ambulando.* Hon. Gentlemen sitting upstairs would not find it very hard to settle the persons to whom the rule should apply. He should, however, at the suggestion of the railway companies, ask to add the following words:—

> "And whose rent shall not exceed 10*s.* weekly."

Then came a few words, which were merely formal, to be added to Clause 62—namely—

> "Including the building of dwellings for members of the labouring classes, as hereinafter provided."

Of course, it would be necessary that the lists to be provided should be tested in some way, and therefore he proposed to add to Standing Order 133 the following:—

> "It shall be competent to a Committee to admit any inhabitant of a parish in which lands and houses are situate which are sought by any Bill to be taken, to be heard on the question whether the book of reference deposited in relation to the Bill specifies correctly which of the persons named in such book of reference as owners or reputed owners, lessees or reputed lessees, and occupiers belong to the labouring classes."

He proposed to leave out clauses which related to Bills now before Committees, and which were likely to pass this Session. He did that upon the suggestion of the railway companies, who said they could not possibly meet his views in detail in the Bills before the House this year, but even with respect to these Bills they were willing to accept a general clause, providing that they should be bound by any legislation which might be hereafter passed on the subject. Therefore the difficulty as to this year was, in fact, removed. Then came the general provisions for the future as to the carrying out these Resolutions, and they were marked on the paper from A to F. The first provided that—

> "The company, person, or corporation to whom the power is given shall not exercise the power hereby given to them of taking lands or houses of which any persons belonging to the labouring classes are owners, lessees, or occupiers, until the

company, person, or corporation shall have built one or more dwellings sufficient for the accommodation of such persons, and have obtained the certificate of two justices, or a metropolitan police magistrate, that such dwellings have been provided to his satisfaction, and in accordance with the provisions hereinafter contained."

The object of that was to provide that new buildings should be erected before the old ones were taken down, and thus to prevent the breaking up of neighbourhoods, by which small shopkeepers were often utterly ruined. The next clause merely defined what sort of dwellings should be built—that there should be proper sewerage, lighting, and ventilation, and a certain space of cubic feet for each person. Clause C provided that—

> "The proposed site and the said plans of the dwellings so to be built shall in every case be submitted for the approval of Her Majesty's Chief Commissioner of Works, who shall have power to fix the site and to enforce the conditions laid down in the last clause, but not otherwise to alter the proposed plans."

It was desirable that there should be some public officer, whether the Chief Commissioner of Works or another was immaterial, who should have charge in this matter, but it was not necessary that he should have further powers than the clause proposed to give. He proposed by Clause D to give the companies compulsory powers to take land for the purpose. At present they had only power to take land for the purposes of their line; but if they were to be obliged to restore houses they must be enabled to take land with that object. Clause E provided—

> "If the company, person, or corporation shall offer to any owner, lessee, or occupier of any lands or houses to be taken under the provisions hereof, one or more room or rooms in the dwellings to be provided as aforesaid at a specified rent, and for a specified time, the *bonâ fides* of such offer shall be inquired into by the tribunal, persons, or person who, under the provisions of 'The Lands Clauses Consolidation Act, 1845,' shall fix the compensation to be paid to such person, and the said offer shall be taken into consideration in fixing the amount of such compensation."

The reason of the clause was this. It was quite possible that many persons evicted might not be disposed to occupy the new houses, and might clamour for compensation instead, and this clause was to protect the companies against unjust demands. By the next clause he proposed to bring all persons who might be dispossessed under the protection of the Lands Clauses Consolidation Act, 1845. The clause provided that—

> "All persons occupying lands and houses to be taken under the provisions hereof, being members of the labouring classes, shall be entitled to compensation under the provisions of 'The Lands Clauses Consolidation Act, 1845,' although the company, person, or corporation may, after having purchased the interests of the owners or lessees thereof, have given notice to such persons to quit, and the term fixed by such notice may have expired."

That was no new principle, it was only returning to an old usage of the House, for before the passing of the Lands Clauses Consolidation Act the House was much more careful of the wants and comforts of the poor than it had been since. He trusted the House would see its way to pass the present Resolutions and amend the Standing Orders, or would, at any rate, take the matter into its most serious consideration. The noble Lord the Member for Haddingtonshire (Lord Elcho) had stated that a remedy already existed in the Standing Orders of the House of Lords, but on examining them he (Mr. T. Hughes) found that they merely provided for a few week's notice to quit, which, of course, was of no use in dealing with the evil complained of. The railway companies had met him in a fair and candid spirit, and if, as it had been stated, he used strong language on a former occasion he was sorry for it. He begged to move the addition to Standing Order 52.

Amendment proposed,

To add, at the end thereof, the words "and shall specify by a denoting mark against each name which, if any, of the persons named in such book of reference as owners or reputed owners, lessees or reputed lessees, and occupiers, belong to the labouring classes; and all weekly tenants and lodgers shall be deemed to belong to the labouring classes."—(*Mr. Thomas Hughes.*)

Question proposed, "That those words be there added."

Colonel WILSON-PATTEN said, it was unnecessary for the hon. Member to offer any observations as to the merits of the object which he had in view. It had been an object with that House, but more especially with the other House of Parliament, for many years past to obtain some stricter regulations with respect to dealings with the houses of the labouring classes. There was a Standing Order of the other House much more stringent than any which the House of Commons possessed to enable the Legislature to make any enactments which it might think fit for the accommodation of the labouring classes. He would express his regret that within a short time an endeavour had been made to impress upon the public mind that the interests of the working classes were less attended to by Parliament than those of other classes of the community. Now, he had some experience as Chairman of the Standing Orders Committee, and he believed that a grosser libel had never been uttered in that House. It had been the object of both Houses to prevent any unnecessary interference with the comforts of the labouring classes, and if they had not been successful it was because of the difficulty with which Parliament had to contend. He felt the greatest embarrassment in meeting the proposals of the hon. Member. They involved so many changes and gave rise to so many considerations that it was impossible to deal with them in detail. It might be sufficient to say that in his opinion they could not possibly apply to the legislation of that House, and if he might give an instance to show how unsuited they were he would quote the Resolution marked C, which provided that

> "The proposed site and the said plans of the dwellings so to be built should in every case be submitted for the approval of Her Majesty's Chief Commissioner of Works, who should have power to fix the site and to enforce the conditions laid down in the last clause, but not otherwise to alter the proposed plan."

The adoption of the proposal of the hon. Member for Lambeth (Mr. T. Hughes) would give the Commissioners of Works a power which the Legislature had never before delegated to any persons. The Commissioners of Works could order the proprietors of a piece of land to hand it over to a railway company, and the result of such a course would be that the metropolitan landlords would be up in arms against such an infraction of their rights. That was not the only difficulty which would be caused by the Bill, and he asked his hon. Friend (Mr. T. Hughes) to withdraw the Resolutions which he has proposed for the present. It was customary for the House every year to appoint a Committee to inquire into the Standing Orders, and to make such alterations as it might think fit. When the Committee should be appointed the proposed additions could be brought before them. If that course did not meet the hon. Gentleman's views he would suggest to him the propriety of moving the clauses in the Bill which the right hon. Gentleman the President of the Board of Trade had promised to bring in, and thus make the regulations which he (Mr. T. Hughes) wished to establish a part of the law of the land. But if the Motion of the hon. Member for Lambeth should be adopted, it would introduce an entirely new system of legislation.

SIR FRANCIS GOLDSMID said, it appeared to him that it would by-and-by become a question whether they ought not to put a stop to the construction of railways altogether, rather than encourage them on the one hand and beat them down on the other by such treatment as was now proposed. He opposed the proposition of the hon. Member for Lambeth. If the proposal was adopted it would greatly interfere with the operations of railway companies in London, while it would confer no corresponding benefit on the labouring classes. There was before the House two Bills for improving the dwelling accommodation of the working classes, but he was afraid that those measures would not provide one half or one quarter as many new dwellings as private Bills before Parliament would destroy.

MR. MILNER GIBSON said, his hon. and gallant Friend (Colonel W. Patten) had referred to a Bill of which he (Mr. Milner Gibson) had given notice, and he thought the clauses proposed by the hon. Member for Lambeth might be inserted therein. Although that Bill contained clauses very fit to be inserted in a metropolitan railway Bill, he (Mr. Milner Gibson) should be very sorry to give any countenance to the principles on which the clauses now proposed must rest. It seemed to him that they might proceed in this direction till they made improvement almost impossible, and the execution of valuable public works so difficult that they could not be undertaken. No class in this country had been so much benefited by the great works executed of late years in London as had the labouring classes. He believed their wages had been raised and abundant employment found for them by those works. If it could be shown that injury was done to a certain class by any particular works executed in London he should say compensate them, let no man suffer injury in order that certain works might be executed. But if railway companies were to have fastened on them the obligation of being builders of model lodging-houses, he had great doubts whether that enactment would be for the benefit of the working classes. If these were to be erected in the town, the result would be to create a greater evil than was sought to be removed. Somebody must remove from the site of the new model lodging-houses. Was there to be a site found for the displaced persons, and, if not, why not? Were those who were thus removed not entitled to be heard before a Committee of that House if they were dispossessed of the dwelling-houses they occupied? If it was said that these lodging-houses were not to be erected in the town but in the suburbs, he answered, "Leave the supply of these houses to the ordinary operations of enterprize and trade." He believed there was no business in which people were more likely to over-speculate than the building of houses. He had heard it continually stated, that in the neighbourhood of this great metropolis builders were constantly overbuilding, and no employment of money was so profitable to its owner as to cover land with houses, for which there were so many customers among the labouring classes. He regarded the clause as involving consequences which they would do well to pause before they sanctioned; it raised the question of tenancy. In most of the cases in which houses would be removed, for whose occupiers the clauses proposed to find sites, the persons living in the houses were weekly tenants. At present landlords could eject weekly tenants at a week's notice, and unless a change was made in the law the landlords could in like manner eject them from their holdings in the new buildings. This would be the case unless the House was prepared to give those tenants a kind of fixity of tenure. The houses were to be built which they might not occupy, and which, if they did, there was no security that they would continue to occupy. If the lessee or landlord, who had the power of getting rid of the labouring man, knew that he would get much more for his property by delivering it up unoccupied to the railway company, because an empty house would entail no obligation on the company, the only difference would be that they would evict those tenants, and hand over the property free from incumbrance to the railway company. Were they going by these clauses to give an inducement of this kind to the proprietors of lodgings occupied by weekly tenants? If a house was to be built for a man dispossessed, how long must a person have been an occupant in order to have a claim on the company? And how long was he to occupy it? He certainly could not give his assent to the proposal, or any countenance to the principles it involved.

Mr. HENLEY said, he hoped that the hon. Member for Lambeth would adopt the suggestion of his hon. and gallant Friend (Colonel Wilson Patten), and not ask the House to come to a decision at present. The question was a most important one. The right hon. Gentleman had laid it down in the most distinct terms, that whatever the amount of hardship or difficulty might be of sweeping away the houses of these poor men the House of Commons was not to take any steps whatever.

Mr. MILNER GIBSON: I said distinctly that every person who could show that he had sustained any injury by the execution of railway works was entitled to be compensated.

Mr. HENLEY said, that was true. But the right hon. Gentleman took care to designate pretty clearly who he considered to be capable of receiving an injury. He said, "What is a weekly tenant?" He could be got rid of by the landlord in a week, and he had no legal status to bring him into the magnificent category which, according to the right hon. Gentleman, was to entitle him to compensation. He was not one of those who thought that this difficult subject could be met very easily. He was quite sure, however, that the proposition of the hon. Member for Lambeth would increase the difficulties a thousandfold. Still, he would be very loth to say that there were not minds in the House which would be brought to bear on the subject, so as, if not to remove the difficulties altogether, at all events to alleviate them to a considerable degree and remove many of the inconveniencies and hardships to which these people must be more or less subjected. He hoped the hon. Member for Lambeth would consent to have the matter referred to a Committee; and although he knew the question was beset with difficulties, he hoped that a Bill would be framed providing residences for the labouring people whose houses were swept away by railway companies. Let them not go into that matter with a foregone conclusion that they could do no good, and must leave these persons to sink or swim as the case might be, when, from the experience of the last few years, it was very plain that they had very little chance of swimming, and that many of them had suffered the greatest possible inconvenience.

Mr. SCOURFIELD said, he thought it was of no use telling a man that he was entitled to compensation for an injury done to him if he had no chance of receiving it. These poor persons had not received any compensation hitherto, and were not likely to do so in future if the House went on in the present groove with respect to that subject. He sincerely sympathized with the objects of the hon. Member for Lambeth, although he thought they could not be attained by the Resolutions exactly as they stood. The Resolutions specified particularly the labouring classes. To that he objected, for before the law all men were equal. He did not like the word "class." The position of the labouring classes in the matter was one of great hardship, but the case of the small shopkeepers, who were just above the labouring classes, and who depended for their living entirely upon the connection they had formed in particular neighbourhoods invaded by railways, was much more hopeless. From the way in which they were displaced they were often irretrievably ruined. The hon. Member for Lambeth would, no doubt, receive in the fairest spirit any suggestions for better carrying out his objects; but the House ought not to be led away by the doctrine that every question of that kind should be left to the Committees to which the Bills were referred. The House itself ought to watch the second reading of Private Bills that were likely to entail great injury on numerous persons, and should not throw the responsibility on the Committees, who generally thought themselves relieved from all responsibility as to matters of principle by the House having given the Bills a second reading. Ninety-nine cases out of 100 were referred to Committee; in many of them the subject was of such paramount importance that the Committee would prefer the House taking upon them the heavy responsibility of giving judgment upon it. Unless such points were to be entertained and dealt with by the House, it would almost be better to give up the form of reading these Bills a second time altogether.

LORD STANLEY said, he quite sympathized with the feelings which had prompted the hon. Member for Lambeth in bringing forward the question, but thought the Standing Orders which he had proposed were liable to very grave objection, and, whether so intended or not, would create something like a new law of property. Under those Standing Orders, if a new railway company obtained power from Parliament to pull down a particular street, for the buildings so demolished it must not only give compensation to their owners, but must provide new houses for the inhabitants of that street. But the next street, which might belong to a private owner who thought he could put his land to a better use, could be pulled down by him if he saw fit without requiring the sanction of Parliament, and the tenants would get no compensation. Where was the difference, as far as the labouring man was concerned, between being ejected by a private owner and being ejected by some company which purchased the property? The necessary and logical consequence of the hon. Member's propositions would be that they should prevent the owner himself from pulling down his own property without giving the tenants compensation. That was a new form of tenant-right, and one which the House should hesitate before it sanctioned. No doubt serious injury was often inflicted on the labouring classes by the pulling down of houses on a large scale. Still, the difficulty which those classes experienced in obtaining convenient dwellings did not arise except in the most infinitesimal degree from the operation of the railway companies, but far more from other causes which Parliamentary legislation did not occasion and which it could not prevent. It arose from the immense increase of business in London, from the enormous cost of land, and from the fact that the owners of many houses and streets formerly occupied by labouring men found it more profitable to turn them into shops, warehouses, offices, and the like. If, therefore, they dealt simply with those cases in which the sanction of Parliament had to be obtained before schemes could be carried out, they would only deal with a small part of the question. He agreed with the hon. Member for Lambeth that the problem how working men were to be lodged in London had become one of national importance; and if any inquiry were to take place into that whole subject, such an inquiry would probably do great public good. But the proposed Standing Orders involved a dangerous principle, and dealt with the question in a one-sided and very imperfect manner. It was to be hoped, therefore, that by pressing the Motion to a division the House would not be placed in the position of seeming to reject a proposal the intention of which they must approve, simply because they did not believe it to be the right or the best mode of accomplishing their common object.

MR. POWELL said, he hoped that, in endeavouring to prevent the overcrowding of the people in certain parts of the metropolis, the House would take care by its action not to make matters worse. The adoption of too severe a system of interference with the progress of railway enterprise might increase the evils which it was intended to diminish. So far from its being necessary for men to be very near their work, it would be most desirable that the working classes should be lodged in suburban villages, rather than in the crowded alleys of the metropolis. The people should be removed from these overcrowded localities to the suburbs of London. What the labouring man wanted was to have proper facilities for getting from his home to his place of work.

MR. THOMAS HUGHES said, the course of that debate had proved to him quite clearly that many seeming difficulties would present themselves in the matter to hon. Members which did not exist in reality. The noble Lord opposite, for instance, (Lord Stanley) had taken an objection on principle which was capable of being answered. The noble Lord said that these Standing Orders would create a new form of tenant-right, and he illustrated that by the case of the landlord of a whole street next to a street bought up by a railway company, remarking that that private landlord might pull down all his houses and deal with his land as he pleased, evicting the tenants without any compensation. That was quite true; but such a landlord did not come before Parliament asking for any compulsory powers. All that he maintained was that when a company made an application to the House for powers to pull down the dwellings of the people, it was their duty, before acceding to such application, to see that other provision was made for their reception. It was surprising that the right hon. Gentleman the President of the Board of Trade should refuse to give any countenance to the principle of the proposed Standing Orders; but, happily, his countenance was not required, because countenance that was much more valuable had already been obtained. Consent had been given to the principle embodied in these Resolutions by half-a-dozen of the great railway companies in that metropolis. If, then, the railway companies were ready to take this burden upon themselves, and thus remove the difficulty which every one experienced in dealing with this question, surely the House would not come forward and say that this should not be done. The right hon. Gentleman the President of the Board of Trade had stated that the labouring classes had been most benefited by the construction of railways. The labouring classes fifty years hence might, but in the meantime if the right hon. Gentleman would take the trouble of going into various parts of the metropolis in which railways had been constructed he would find that they had been much injured. It had been stated that the building trade was very active, and that a very large number of houses were being erected, but they were not of a class inhabited by labourers, who were being turned out of their homes by thousands every year. However, on the understanding that certain leading railway companies would come forward and do their best to remove the evils of which he complained, remembering that "while the grass grows the steed starves," he was quite willing to act upon the suggestion thrown out by the hon. and gallant Member for Lancashire (Colonel Wilson Patten) for the appointment of a Committee, and, with the leave of the House, withdraw his Motion.

Amendment, by leave, *withdrawn.*

WESTMINSTER SCHOOL.—QUESTION.

MR. MOWBRAY said, he would beg to ask the Secretary of State for the Home Department, Whether, before any scheme for the contemplated arrangement between the Ecclesiastical Commissioners and the Dean and Chapter of Westminster shall be submitted for the approbation of the Queen in Council, Her Majesty's Government will take care that provision shall be made for the additional payment by the Chapter to Westminster School, as recommended by the Public Schools Commission, and for the assignment of separate estates for the maintenance of the school? He also wished to know, whether, if the Government find that such a provision cannot be made by Order in Council, they are prepared to bring in a Bill during the present Session to carry that arrangement into effect?

SIR GEORGE GREY said, in reply, that the arrangements for the commutation were still under consideration, and that no scheme had as yet been prepared. The Commissioners had no objection to the plan proposed by the School Commission, that out of the revenues of the Dean and Chapter funds should be provided for the additional endowment of the school. Legislation would be requisite, and a Bill would shortly be introduced in that or the other House of Parliament on the subject.

MR. BENTINCK said, he wished to know whether there will be any objection to lay the scheme on the table when it is completed?

SIR GEORGE GREY replied there would be no objection, and in fact he believed that all such schemes were laid before Parliament.

ARMY—EMPLOYMENT OF NATIVE TROOPS IN CHINA.—QUESTION.

COLONEL NORTH said, he rose to ask the Secretary of State for War, Whether, in conformity with the reiterated recommendations of the Army Medical Department and Military authorities, the Government have yet determined upon the employment of native troops in China?

THE MARQUESS OF HARTINGTON replied, that arrangements were now being made with the view of sending some native troops, consisting probably of rifle regiments, to Hong Kong in order to release the troops at present stationed there. A great part of the duties of the troops there were of a police character, and he should shortly have an opportunity of stating what arrangements would be made; but inasmuch as the troops were employed in duties which could be more properly performed by local police or by a native force, steps would be taken to relieve our troops from the performance of such duties.

THE CATTLE DISEASE.—QUESTION.

MR. MAGUIRE said, he wished to ask Mr. Attorney General for Ireland, Whether his attention has been called to the case of a drover, who on his return from Cardiff to Cork had three fresh calf-skins tied up in a bundle, which he sought to conceal; and whether instructions will be given to the police in the various Irish ports to institute such scrutiny as would prevent the risk of the cattle disease being introduced into Ireland by similar means?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) replied that he would direct an inquiry to be made with the view of ascertaining the facts, and also whether any instructions had been given to the police to watch such cases, in order to prevent the introduction of the cattle disease into Ireland.

LORD NAAS said, he wished to know whether any general instruction has been issued to the Constabulary respecting these matters?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, he was not aware whether any general instructions had been given.

ARMY—ARTILLERY—RIFLED GUNS. QUESTION.

LORD ELCHO said, he would beg to ask the Secretary of State for War, Whether he will lay before the House a Return showing the number of heavy rifled guns of not less than 7-inch calibre, and up to 13·2-inch calibre, that have been tried, specifying the mode of rifling employed, the number of rounds fired, the charges of powder, weight and nature of the projectile used, and stating the injuries resulting to each gun; and whether the Secretary of State for War will also lay before Parliament the Correspondence between the War Department and the leading gunmakers in reference to the War Office Circular, of January 1st, 1866, asking the reasons which had deterred them from taking any part in the proposed competition for military breech-loading small arms?

THE MARQUESS OF HARTINGTON, in reply, said, he had no objection to give the Returns mentioned in the first part of the Question. With reference to the second part of the Question, the noble Lord was aware that the correspondence had only recently taken place, and, as it was now under the consideration of a Select Committee, he must decline to produce it pending the inquiry.

CUSTOMS SALARIES.—QUESTION.

MR. TORRENS said, he wished to ask the Secretary to the Treasury, Whether it is the fact that the clerks of the Inspector General of Imports and Exports have applied to the Board of Customs for liberty to forward a Petition to the Lords Commissioners of Her Majesty's Treasury, praying for a re-consideration of a Petition presented in May last, with a view to giving them a more substantial benefit than was afforded by the recent Treasury Minute upon Customs Salaries; and whether such permission has been refused?

MR. CHILDERS said, that in answering the Question of the hon. Member he should make an appeal to him and to the House as to the wisdom of asking questions of this kind. The Treasury was engaged in a very difficult operation. In consequence of petitions from different classes of Customs officers last year, they had inquired very minutely into the whole classification and pay of the service, and they had been discussing a scheme, part of which they had adopted, which would affect directly, he believed, the salaries of 1,000 officers, and indirectly the salaries of several thousands more. Every change in the salaries of the officers of a Department affected not only themselves, but others whose salaries might not be altered. The letter to which the hon. Gentleman alluded had been only issued at one o'clock on Tuesday last, and that letter was made the subject of a Question put on the Notice Paper at four o'clock the same day by an hon. Member. If the subordinate officers of Customs could feel that they could obtain Parliamentary intervention in a few hours at any stage of these proceedings it would be difficult for the Treasury to give that dispassionate attention to questions of this kind which it was their wish to give. It was true that the clerks in the department of the Inspector General of Imports and Exports asked that the scheme for improving their salaries might be re-considered, because they thought they did not get as much advantage as others. It was true that the Commissioners of Customs replied to them, that considering the improvements recently made they were not disposed to forward their petition; but it was true also that the clerks were able to forward the petition directly to the Treasury, and he was not aware that they had not done so. The whole question was one of great difficulty, and he could assure the hon. Member that the Treasury had given their best attention to it.

Mr. TORRENS: I put no Notice on the Paper at four o'clock on Tuesday.

Mr. CHILDERS: I said an hon. Member had done so. That Member saw good reason to withdraw it, and the hon. Member then took it up.

GUILFORD BATTERY, DOVER.

QUESTION.

Major DICKSON said, he would beg to ask the Secretary of State for War, Whether there is any objection to lay before the House a Copy of the official Correspondence that has taken place with reference to the encroachments of the sea near the Guilford Battery at Dover; and if there is any objection to state what steps the Government have taken, or propose to take, in relation thereto?

The Marquess of HARTINGTON, in reply, said, he had no objection to produce the correspondence, but that he could not state what steps the Government proposed to take in reference to the matter in question until an answer had been received to the latest communication to the corporation of Dover.

PARLIAMENTARY OATHS AMENDMENT BILL.—QUESTION.

Sir HENRY BARRON said, he would beg to ask the right hon. Gentleman the Member for Buckinghamshire, When he will lay on the table of the House the Amendments which he announced it to be his intention to propose in Committee on the Parliamentary Oaths Amendment Bill.

Mr. DISRAELI: Sir, it is my intention to place the terms of the oath which I mean to propose in a complete form on the table of the House at the commencement of public business on Wednesday next.

CATTLE PLAGUE BILL.—QUESTION.

In reply to Mr. Graves,

Sir GEORGE GREY stated, that it would be quite impossible to discuss the Amendments introduced in the House of Lords into the Cattle Plague Bill that evening, nor could he, under all the circumstances of the case, fix a time for the discussion.

OBSOLETE STATUTES.—QUESTION.

In reply to Mr. Hadfield,

The ATTORNEY GENERAL was understood to say that he believed he should be able to lay a Bill for the expurgation of Obsolete Statutes on the table soon after Easter.

THE DEVONPORT ELECTION.

QUESTION.

Sir JOHN PAKINGTON said, he had on a former evening expressed it to be his opinion that the circumstances which he had brought before the House in connection with the Devonport Election ought to be investigated by a Select Committee. It was then suggested on the part of the Government—and in the propriety of that suggestion he quite concurred—that it was advisable before taking that step to wait for the arrival of the information which they expected to receive from Devonport on the subject. The Question he now wished to put was, Whether that information has been received, and when it will be in the hands of Members?

Lord CLARENCE PAGET: It was laid on the table of the House yesterday.

THE CASUAL POOR, CLERKENWELL.

QUESTION.

Mr. **KINNAIRD** said, he wished to ask the President of the Poor Law Board, Whether any instructions have been issued to the Guardians of the Poor of Clerkenwell to correct the evils that has been proved to exist in the casual wards of that parish; and if the Poor Law Board have power to enforce such instructions, if issued?

Mr. C. P. **VILLIERS** replied that, in answer to the Question of which he had just received notice from the hon. Member, he had to state that the district to which he had referred was not completely within the jurisdiction of the Poor Law Board, and derived its authority from a Private Act. The Board has, however, always claimed the right of inspecting its workhouses, and had for some years past had reason to complain of the provision which was there made for the inmates, and, indeed, owing to the frequent remonstrances which the metropolitan inspector had made, in consequence of the visit he had lately paid both by day and by night, the guardians had at length determined and were about to obtain premises better calculated to give effect to the requirements of the law. He was, however, assured that this parish had been in former times, and for many years, unwilling to attend to the instructions of the Poor Law Board, and had considered itself entitled to defy its authority.

Viscount **CRANBOURNE** said, he wished to know, whether the right hon. Gentleman intends to introduce a Bill founded on the recommendations of the Committee upstairs, which would meet such a case as that to which he referred—of a Union which considered itself out of the jurisdiction of the Poor Law Board?

Mr. C. P. **VILLIERS** said, he would not undertake to bring in a Bill extending the powers of the Poor Law Board without further inquiry.

THE BANKRUPTCY LAW.—QUESTION.

In reply to Mr. T. Chambers,

The **ATTORNEY GENERAL** stated, that he hoped to be able to bring in a Bill for the consolidation and amendment of the Bankruptcy Law immediately after Easter.

MUTINY BILL.—QUESTION.

Mr. **DARBY GRIFFITH** said, he would beg to ask the Secretary of State for War, How it is that the Mutiny Bill, which stands for Committee that evening, is not printed and in the hands of Members?

The Marquess of **HARTINGTON** said, he believed the Bill was now printed, and that the hon. Member might obtain a copy of it if he pleased.

Mr. **DARBY GRIFFITH** said, that that was not placing the Bill in the hands of Members sufficiently early to enable them to give notice of any Amendment which they might wish to propose in Committee.

The Marquess of **HARTINGTON** said, that the Bill contained only one or two verbal alterations, and he considered that sufficient notice had been given.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Deputy Speaker do now leave the Chair."

SMOKE FURNACES.

OBSERVATIONS.

Sir **ROBERT PEEL**: I trust, Sir, this may be considered a question of sufficient importance to justify me in bringing it under the notice of the House. I shall endeavour to detail, as concisely as I can, some of the evils arising from smoke furnaces in the towns and country districts of England, with the view of inducing the Government, if possible, to legislate on the question during the present Session. The question is one which affects the sanitary condition, the health, the comfort, and the happiness of almost every class in the community, but more especially of the operative classes in the great centres of industry in Yorkshire, Lancashire and the Midland Counties. The evils of which I complain, and which might be entirely abated, rise from the smoke of coal, a mineral our resources in which it is impossible to overestimate. But the greater the value of this article the more careful, I contend, ought we to be to observe due economy in the use of it. It is probably the most precious article in this country—perhaps more valuable than the precious metals of the mines of Mexico, because it is applicable to all the purposes of human labour. Considering the number of hands employed in this branch of industry, the capital invested, the tonnage of the vessels employed in carrying the coal, and the value of the article when extracted from the soil, I believe there is no Gentleman who will not agree with me that the subject I am bringing before the House is one of the deepest importance, and that if coal be so valuable a material we ought in the same degree to be most careful in its economic use. But the fact is that, instead of this most valuable mineral being economized, the most reckless waste of it prevails in the Midland Counties—and in Yorkshire, Lancashire, and Durham. I have been informed by an eminent analytical chemist at Manchester, that 40 per cent less heat is produced than might be obtained by proper combustion, and that gentleman believes that 10 per cent and, perhaps, in some cases, 20 per cent of the coal passed up through the tall chimneys, and was absolutely lost as far as regards the purpose for which it was used, that of heating the furnaces. That was a most important statement. A person of great eminence, Mr. M'Culloch, said, about twenty years ago, that if the coal trade of England continued at the same rate as in 1845, there was a sufficient supply of coal in the coalfields and seams of this country to last for 2,000 years. But what is the case now? The consumption, including waste, in the United Kingdom amounts to three times the quantity expended in 1845. So that already Mr. M'Culloch's estimate has diminished by two-thirds; and if it goes on in the same way for the next twenty years, we might find ourselves in a position that there would not be enough coal left in our seams to supply us for 200 or 300 years, or perhaps a less period. In the year 1845 the consumption in Great Britain for domestic and all manufacturing purposes was 31,800,000 tons, and there were exported in the same year, 1,800,000 tons. In 1865, however, the amount of coal raised in Great Britain was 96,000,000, tons, of which there were consumed for domestic and all purposes of manufacture 87,000,000 tons, 9,000,000 tons being exported. In twenty years the home consumption increased from 31,000,000 to 87,000,000 tons, and the exports increased from 1,800,000 to 9,000,000 tons. This clearly shows the immense importance of this question. There are laid on the table of the House every year most instructive Returns as to the consumption of coal and cinders. I find that in 1850 there were exported from the several ports of the United Kingdom 3,350,000 tons of coal and cinders, the declared value of which was £1,282,000. In 1864 the quantity exported was 8,800,000 tons, and the declared value £4,160,000. I recollect being struck by an observation made by the hon. Member for Glasgow in his able speech on seconding the Address at the opening of Parliament. The hon. Member, in referring to the general condition of trade and the rapid rate at which the manufacturers of the country were progressing, warned the manufacturers that what Mr. M'Culloch had stated in 1845 was no longer correct—that they were not to forget that the supply of coal in England was not inexhaustible, and that they should, by the closest economy in its use, do all in their power to prevent what would be a great national calamity—namely, an increased difficulty in obtaining coal, and a consequent increase of its price. Those observations are sufficient to induce the House to consider whether something may not be done on this subject, and I would ask the Home Secretary to give a pledge that, in the course of the present Session, he will undertake to legislate on it. I know he is occupied with many questions, perhaps no Member of the House more so; but I believe that, if he should be able to lay on the table a Bill with regard to this subject, it might before the close of the Session become law. I would ask, whether there is not in the Home Office an analysis of patents for smoke-burning made by Mr. Holland some years ago by order of the Home Office?—for, if so, I think it would be desirable to have that paper produced; and I also suggest to my right hon. Friend not to attempt to propose a Committee or Commission of Inquiry, for we have had enough of them. Let us deal with the question in this House, and I believe that if my right hon. Friend were to consult some gentleman in London or Manchester who had given attention to the matter, he might be able in a week to frame a Bill which would be satisfactory and efficient. If he would only consult Dr. Joule, who has written on heat, Dr. Angus Smith, Mr. Hunt, of the Museum of Practical Geology, Professor Tyndall, Professor Thomson, of Glasgow University, Dr. Roscoe, of Manchester, Dr. Franklin and Professors of the Royal Institution, he would in a short time inform himself of the importance of this question, and would be able to say what smoke really is. Perhaps some hon. Gentlemen do not know what smoke is, though they feel it, and live in the pestilential atmosphere which surrounds them, and which is ruining the health of the labouring classes. That offensive vapour, so ruinous to the health of the working classes, results from the carbon which, with oxygen, forms the ingredients of coal. Unless perfect combustion take place when the furnace is lighted, smoke rises, and, without an adequate supply of air, the evil which so much distresses the country cannot be overcome. I have a letter from a well-known gentleman in Manchester, addressed to a Member of this House, which forcibly shows what can be done in this matter. The letter is dated March 1, 1866, and the writer states—

> "In regard to the practicability of smoke prevention there is no longer any question ; and, further, it has been proved by the most careful experiments that its prevention increases the economic value of the fuel. Two conditions only are requisite—1, admission of atmospheric air above the fuel to mix with the gases evolved in order to supply sufficient oxygen for their perfect combustion, and a high temperature in the furnace ; and as neither of these conditions can be obtained where there is deficient draught, this deficiency may be said to be the chief cause of smoke. In Glasgow and Dundee measures have been taken of late years to abate the smoke nuisance, and several prosecutions have ensued, but although some good has undoubtedly been done, the results cannot be said to have been altogether successful."

It is not the manufacturers who oppose legislation on the point—they say, "Give us some law that we can carry out, but the local authorities we cannot deal with." I have been informed by the hon. Member for North Durham that an agitation is getting up in his division of the county—for it is not the manufacturers who oppose measures of prevention—to put an end, if possible, to a state of things which causes a gross destruction of property. Some ignorant people speak of the cost of the necessary apparatus for smoke prevention, but there could not be a greater fallacy ; for the saving of fuel will be so considerable that in a short time it will cost nothing, but, on the contrary, insure a saving. With reference to legislation on this important subject in past years, it will be found in the Journals of this House, that actually as far back as the reign of Edward I., in the year 1316, the question was agitated in Parliament, that on account of the intolerable nuisance of smoke the use of coal must be prohibited altogether, as injurious to the public health. I do not want to go so far as that. In later times the first person who agitated this question in Parliament was Lord Redesdale, in the other House ; but the first person who passed a Bill on the subject was Lord Palmerston, when he was Home Secretary. His Bill was called the Metropolis Smoke Nuisance Abatement Bill, and it is really interesting to refer to the remarks that fell from that lamented statesman in bringing forward that measure. No opposition was offered to it. The metropolitan Members supported it. There was only one hon. Member who thought it too late to proceed with it. The hon. Member who has just entered the House (Sir Morton Peto) has assured me in the most cordial manner that he will support such a measure as I have described. Lord Palmerston said—and I should wish the House to be impressed with the words that fell from that lamented statesman—

> "It was no argument to urge, because the nuisance had been borne so long, that therefore it could be borne a little longer. Manufacturers might say they could not consume their own smoke, but if Parliament would only say, 'You must do so,' the smoke would be consumed, and the public would be relieved from this nuisance."—[See 3 *Hansard*, cxxix. 1496.]

An hon. Member before me (Mr. Dunlop) informs me that a Bill for Scotland passed some years ago, which was in operation only a few weeks, during which the whole smoke in Scotland had well nigh disappeared ; but some flaw was discovered in the Bill, and immediately the smoke nuisance re-commenced, and was continued because the Bill was valueless. Lord Palmerston went on to say—

> "If ever there was a case in which he would not say the interests, but the prejudices of the few were opposed to the interests of the many, this was such a case. Here were a few, perhaps one hundred Gentlemen, connected with these different furnaces in London, who wished to make 2,000,000 of their fellow inhabitants swallow the smoke, and who thereby helped to deface all our architectural monuments, and to impose the greatest inconvenience and injury upon the lower class. Here were the prejudices and ignorance—the affected ignorance—of a small combination of men set up against the material interest, the physical enjoyment, the health, the comfort of upwards of 2,000,000 of their fellow men. He would not believe that Parliament would back these smoke-producing monopolists." — [3 *Hansard*, cxxix. 1496.]

I want to see my right hon. Friend the Home Secretary speak and act in that bold and vigorous manner. The Bill passed the third reading unanimously. In the other House it was intrusted to Lord Lansdowne, who was equally bold and firm in the matter. The first and second reading having been passed without discussion in Committee, Lord Lansdowne referred to it as affecting the comfort of every class of society, and said such was the gradual encroachment of the enemy, that for years past they had been living not under the canopy of Heaven but under one of their own creation. It was an evil that called for the distinct interference of the Legislature. His Lordship continued that the experiments of the last seven years had abundantly proved that with perfect safety, without imposing any burdens upon individuals beyond some amount of attention and trouble, they might require the extinction and consumption of all smoke generated by manufacturing establishments. There was no housekeeper who was not able to vouch for the increased difficulty in maintaining the commonest cleanliness in consequence of the nuisance which the Bill would abate. The smoke so affected the clothing of the working classes that it was computed every mechanic paid at least five times the amount of the original cost of his shirt for the number of washings rendered necessary: and in parts of Whitechapel, where the provisions of a local Act enforced the consumption of smoke, the persons who had been compelled to consume their own smoke had found themselves benefited in point of economy by the change. Lord Redesdale congratulated the country upon this Bill, and expressed his obligations to the Government. A Bill in 1853 was passed for improvement of Newcastle-on-Tyne, where more glass was made than in any other place in England at that time, and no exemption was required in that instance. In the Metropolis Bill of 1853, however, there were two omissions—gas works and potteries were not affected by the provisions of the Act. It was found quite practicable to include them, however; and in 1856 the Smoke Nuisances Abatement Metropolitan Amendment Act was passed, including those two descriptions of manufactories. The effect has been most satisfactory in the metropolis. I have numerous letters from manufacturers in London, stating that, although they were opposed at first to the introduction of the measure, yet they now saw the value of it, and the economy of the alteration. One gentleman, a partner in a large firm in Westminster, said there was no difficulty in constructing furnaces which should consume their own smoke, and that since the Act had been in operation a decided improvement had taken place in the verdure of trees and the growth of plants in London. Only last year a Bill was introduced into the other House of Parliament, respecting alkali works. Lord Derby made a most effective speech on the occasion, and the measure became law. Inspectors of alkali works were appointed throughout the country. I have lately seen the inspector of the alkali works in Manchester, who informed me that this had been the result of that Act—whereas 40 per cent of muriatic acid escaped before into the atmosphere of Manchester and the vicinity, at present little more than 1 per cent escaped into the atmosphere, although the Act permitted 5 per cent. Can anything be more satisfactory than that fact? And it is equally applicable to the detestable nuisance of smoke, which is so prejudicial to the health of everybody. I have two letters upon this subject, which are well worthy of being brought under the attention of the House. The first is from the town clerk of Blackburn, who says—

> "I have not the slightest doubt that so far as our park is concerned the vegetation is much injured by the smoke, although it is situate on high ground and some distance from the factory chimneys. It is much to be regretted that there is not some compulsory law for the consumption of smoke. I attribute the present non-observance of the existing law to the fact that its enforcement rests with the local authorities, who are individually, as a rule, large manufacturers, and, as such, creators of the nuisance."

The other letter is from a gentleman well known at Accrington. It is dated February 20, 1866. He says—

> "Your letter refers to a subject on which I have had some considerable experience of a very disagreeable nature. To begin with, our township of Oswaldtwistle, and within 500 yards of my house, we have naphtha works, emitting a most offensive smell, and most destructive to vegetation. If they are continued all the trees within their influence will die. Then adjoining we have bone boiling works polluting the atmosphere in the most dreadful manner. Now, what is the general effect of these works upon the neighbourhood? Many a time my house is filled with nauseous effluvium, and my land as building land is ruined, for no one would choose to reside in such a locality. Mr. S. has suffered dreadfully in the health of his family, Mr. B.'s occupation of his house is destroyed, and Mr. G. has experienced the same evils. It may be said, what are the local boards doing? I answer they are doing nothing, although the strongest representations have been made to them. But the fact is, the Acts of Parliament constituting these local boards are not sufficiently definite or stringent. I and my neighbours are joining together and preparing evidence for legal proceedings, but we think it very hard we should be put to a large expense for that which we think ought to be done by the local board. If Sir Robert Peel will take up the mat-

ter I have no doubt he will accomplish his purpose and greatly benefit society."

The town clerk of Blackburn, in his letter, says—

> "It is much to be regretted that there is not some compulsory law for the consumption of smoke."

I believe that the enforcement of the existing law rests on the local authorities, who, as a rule, are large manufacturers themselves, and, therefore, abettors of the nuisance. But I am informed by many most influential manufacturers that they are quite prepared to second any effort on the part of the Government by a statutory enactment to abate this nuisance. Many towns have attempted to legislate on this subject by Private Bills. In 1862 Salford came for a Bill to effect the improvement that was required; but it failed. Since then Newcastle-on-Tyne, Glasgow, Dundee, and many other places have made similar efforts; but what is required is that the Government should take the matter up and legislate for the whole country, by one uniform statutory enactment for the whole country as it did for the metropolis. Having said so much, I should wish, if I have not already detained the House too long, to allude for a moment to the case of Manchester, where I have just been to inform myself as to the real condition of things there. What is the coal consumption of Manchester? It is prodigious. At this moment the population of London, I believe, is about 3,000,000, and the annual consumption of coal amounts to about 5,300,000 tons; but in Manchester, with a population of certainly not more than 380,000, the coal consumption is estimated at 2,000,000 tons per annum, within a radius of three miles from the Exchange. There are many manufacturers in Manchester consuming more than 300 tons of coal a week. Now, just conceive what a saving would be effected if a proper system of combustion was introduced, and they were compelled to consume their own smoke. It is scientifically ascertained that 40 per cent less heat is produced now than would be by proper combustion. I visited Stockport. I could hardly see it for smoke. Salford has been suffering from the smoke nuisance to a degree it is hardly possible to describe. And so with regard to Burnley, Bury, and Rochdale, without exception the three dirtiest towns of Lancashire. They have no public parks, and the operatives who are labouring all day long in their industrious hives have no means of relaxation or opportunity of breathing a pure atmosphere. What is the sanitary condition of Manchester? The average annual mortality in England is twenty-two per 1,000, and in some rural villages it falls to seventeen per 1,000; but in the large coal burning towns of Manchester and Salford it rises to thirty-three and thirty-four per 1,000. This vast increase in the death rate is entirely owing to the smoke and the noxious exhalations from the burning coal. I saw the other day a letter in *The Times* from a gentleman at Birmingham, stating that smoke could not injuriously affect the health of the people, because the cholera had not severely attacked that town when it last visited this country. The writer forgot that Birmingham is built upon sandstone, and was, therefore, not so liable to be attacked by that disease. As a proof that smoke does not keep away the cholera I may instance the case of Bilston, which, although the most smoky town in England, suffered greatly from this terrible scourge on its last visitation. I hold in my hand a Report that was published in the Quarterly Returns of the Registrar General of Health, which gives a most interesting account of the sanitary state of Manchester, The Report is drawn up by Mr. John Leigh, Registrar of the Deansgate subdistrict of Manchester, and it contains much that deserves attention now that there is a possibility of the cholera again visiting this country. It is the duty of Government to take time by the forelock in order to preserve us as far as possible from the attacks of this pestilence. Mr. Leigh says in his Report—

> "I very carefully traced nearly every case of cholera during the last two invasions of this disease in Manchester, and invariably I found there had been direct communication with infected persons or an infected atmosphere. I entertain no more doubt of the infectious nature of cholera than that of smallpox or scarlatina. Its course can be accounted for in no other way. Under the threatening prospect of a fresh invasion it is best to look the disease fairly in the face, and not, under the fear of being considered alarmists, to ignore its nature and neglect the means of breaking the force of the attack. It is doubtful, too, whether in our time typhus does not absolutely originate in the ill conditions of our crowded towns. Be this as it may, nothing is more certain than that the ordinary unfavourable conditions of large towns, with their festering graveyards, decomposing offal, noisome exhalations of tallow-chandleries, and other manufactories of animal matters, stenches of sewers and drains, and stagnant atmosphere of courts and alleys, are the predisposing causes of diseases, especially infectious diseases. If they do not actually produce disease, they so reduce the tone and strength of the population, so vitiate

their blood and exalt their susceptibility of deleterious influences that a constant tendency exists to take on diseased action, whether in the form of typhus, scarlatina, smallpox, or cholera. A state of chronic disorganization is always attracting the flying bands of the enemy. It is not a question of food and wages; the day-labourer in the country who earns his 10*s.* or 12*s.* a week, and tastes animal food but once in that week, is ruddy, strong, and healthy, compared with the highly-paid and well-fed artizan, who works in a crowd of fellow-workmen, and sleeps in the narrow street or confined court where his house stands, and whose cadaverous looks tell the tale of his surroundings."

How true that is any one must feel who has been in that town. He expressly states that their ill-looks are not to be traced to bad water, for he says—

"No town in England is better and more abundantly supplied with good and pure water than Manchester."

He says the town is well scavengered, and the streets are kept constantly clean—

"What is it, then," he asks, "that makes Manchester so unhealthy a town?"

He replies to his question thus—

"Close to my town house, on the west side, is a large graveyard, in which interments are even yet made daily. On one side of the street, separated by a small interval, is a large tallow-melting work recently established; on the other side of the street an ancient and time-honoured tallow-chandlery, with its vested right of poisoning the neighbours. Add to the noxious products which load the atmosphere from these sources the black outpourings from innumerable chimneys, and a tolerable conception of the sanitary state of the neighbourhood will be obtained. The unhealthiness of Manchester is due to its vitiated atmosphere."

Again, he says that no plant will live in the town unless it be washed two or three times a week. He proceeds—

"Let any one examine the lungs after death of a person who has been long resident in Manchester, and in the bronchial glands he will find a fluid substance, inhaled soot, as black and thick as ink."

I do think I have made out a case that should induce Government to take up the subject. I ask, why should not the smoke be burnt? It is idle to attempt to establish public parks—such as that recently opened by a philanthropic gentleman at Halifax—in such districts. They are useless to counteract the pernicious effect of the smoke-saturated atmosphere on the working man. Besides, you cannot get trees to grow or plants to flourish. I am informed that the trees at the park at Salford are dying. I have received a letter from the curator of the Salford Park, stating that the trees are all being destroyed because Parliament will not legislate upon the subject. That gentleman says—

"In respect to your inquiry as to the injury which this park suffers from the smoke of Manchester and Salford I may say that, in the opinion of members of the Park Committee, who have served from the opening in 1846, and my own opinion from watching its effects from 1851, the smoke is gradually destroying the many fine trees, elms, horsechestnuts, oaks, ash, and ornamental shrubs. Year by year the damage gains in amount, and even the grass gets poorer, and requires to be renewed by sodding brought from a distance, for the seed will not grow in such a smoked and impure atmosphere."

I think these are observations that require the attention of Government, coming as they do from different parts of the country. This morning I received a letter from a gentleman residing at a village near Birmingham, stating that the trees in that neighbourhood are dying in consequence of the smoky atmosphere. Any one who is fond of the country must feel pained at the sickly look of the little window gardens of the poor man in the large coal consuming towns of Lancashire and Yorkshire. It is evident that they can have little share in an enjoyment of which persons in a higher station think so much. Lord Bacon says—

"I account that gardening is the purest of human pleasures, and the greatest refreshment to the spirit of man."

It is that refreshment to the spirit of the working man which is intended to be supplied by public parks and gardens in the neighbourhood of large towns; but that intention without some legislation on the subject can never be attained. I am sorry that I have been compelled to detain the House so long in drawing attention to this subject, but my excuse must be the great desire I have to check the growing evils I have alluded to. There may be topics of a more exciting character in connection with the rights and privileges of the working classes to exercise a greater power than they now do in the government of the State; but in my humble judgment we can discuss no more benevolent, no more philanthropic, no nobler question than how to abate the noxious vapours which vitiate and poison the atmosphere of our great towns. The evil is of our own creation, and we can prevent it if we please. Let the Government, then, legislate on the subject. I have just seen the poverty, the wretchedness, and the squalor, generated by this state of things in towns in Lancashire, and I feel sure that every hon. Member will agree with me that there is good cause for legislation. The value of human life and the comfort, convenience, and happiness of all classes ought reasonably to have more weight than the prejudices of those who create the nuisance. I therefore ask my right hon. Friend the Secretary of State for the Home Department—than whom I am sure no man holding high office is more disposed to give a fair and careful consideration to all questions appertaining to public interest — to give us an assurance that Government will legislate upon this question during the present Session of Parliament, as by so doing he will confer a benefit, nay a blessing, upon the people of this country. A measure of the kind I wish to see introduced would in a great degree affect the health, the comfort, and the happiness of millions of working men whose daily toil in a vitiated atmosphere is the main support of our manufacturing interests. I do not move any Amendment.

MR. HENDERSON said, he had given some attention to this subject, and thought it was very desirable that in all large manufactories the smoke should be consumed. It would be a great boon to the working classes if they were permitted to see a little daylight. An eminent example of what could be done in the way of controlling this smoke nuisance could be seen by any hon. Member who might choose to note the different manufacturing establishments between Battersea and Blackwall from the deck of one of the river steamers. It was not, however, in places like the metropolis that nuisances of this kind prevailed to any extent. They were chiefly found in districts where coal was cheap, and where there was a great unwillingness to incur the expense of the apparatus necessary to get rid of the nuisance. There were men who were always opposed to change, and who persisted in walking in the old beaten track, refusing to concur in any alteration as being nothing short of innovation, and whose opposition would be enhanced if the change were necessitated by anything which could be regarded in the light of compulsion; whilst others were willing to adopt that which offered a prospect of saving and improvement. When, however, it could be shown that by their adherence to the present system these people were causing injury to the health and to the property of their neighbours the Legislature might, he thought, be very fairly called upon to interfere. It could not be doubted that an atmosphere charged with smoke was prejudicial both to health and property. In some districts it was found impossible to open a window, for the purpose of ventilation, without having the room and its contents covered with "blacks." The volumes of smoke that issued from many large establishments were left at the mercy of the wind and the atmosphere, and frequently caused great discomfort and annoyance to those who lived within several miles. In gardens particularly, situated at a distance of three miles from these offenders, it was impossible to touch a leaf or a flower without having the fingers soiled by these sooty deposits. He should be about the last person to place any impediment in the way of carrying on manufactures, as with the manufacturers his interests and sympathies were bound up; but when it could be shown that this nuisance could not only be avoided, but absolutely abolished, and that, too, advantageously to the offenders, he thought it would require little further argument to induce the House to legislate upon the subject. The nuisance, and the evils arising from it, were acknowledged; what, then, was the remedy, and what the expense? He was prepared to state, and to prove his assertion that by Jukes' apparatus (which was in use in many places in the metropolis) the smoke could be completely and profitably consumed. He would take the case of steam-engines, and where that apparatus was in use steam was generated with the most perfect regularity, and there was a saving of from 20 to 30 per cent in the cost of fuel, and of from 40 to 50 per cent in labour. No more smoke was evolved than from an ordinary kitchen chimney. Coke ovens, worked on the usual plan, were an intolerable nuisance; but by a simple arrangement, by which the flue was passed along the back of the ovens and afterwards taken to a chimney, the smoke was entirely got rid of. He knew a case in which this had been done, and if that were so there was no reason why all coke-burners should not be compelled to adopt a similar plan. In the matter of blast furnaces and ironworks he feared that at present there would be difficulty; but if the Legislature determined that it should be done, he had full confidence in the science and ingenuity of his countrymen to believe that a satisfactory method would be discovered. He was of opinion, derived from the information he obtained as Chairman of the Steam Coal Association in the north of England, that the coal beds were disappearing with wonderful rapidity.

Anything, therefore, which tended to economize fuel was of the utmost importance as regarded this great source of our national wealth.

Mr. HANBURY said, that the firm to which he belonged had tried many experiments without success, when the subject was before Parliament on a former occasion, with a view to benefit the neighbourhood of Spitalfields, where their brewery was situated. They then adopted Jukes' patent, which proved almost entirely successful. There was a good deal of smoke generated the first thing in the morning, and some then no doubt escaped; but during the rest of the day there was no more smoke than from a house chimney. The apparatus was expensive at first, but during the first year the firm saved £2,000 in the cost of fuel, as they were able to consume, instead of large coal, the very smallest. The great advantages derived from getting rid of the smoke were now beginning to be apparent, and the silk weavers could open their windows and enjoy the fresh air, which it was impossible for them to do before this process was adopted at the brewery. Where before a plant or flower was never seen, plants and flowers were in full bloom. So satisfactory had been the result of an effort towards the consumption of smoke in his own case that he trusted the Government would take some measures for making the thing more general.

Mr. ALGERNON EGERTON said, he must compliment the right hon. Baronet (Sir Robert Peel) on the ability of his speech, but could not agree with one part of it. The right hon. Baronet in saying that the health of Manchester was affected by the smoke rather overstated the case. [Sir Robert Peel: I quoted the Returns of mortality.] That was true; but although the Returns of mortality were high it did not follow that that was owing to the smoke. It was quite possible to explain the high rate of mortality on other grounds; as, for instance, the closeness of the streets, the crowding together of the population, and all the cognate evils which affected the health of a great town; but he had doubts whether an overhanging canopy of smoke did not purify the air. He lived seven miles from Manchester, in a smoky, but not a crowded neighbourhood, and he did not observe that the health of the working man was affected. Besides, the suburbs of Manchester were healthful. With this exception, he agreed fully with the speech of the right hon. Baronet. Smoke had been done away with in all steamers on the Thames and the Mersey, and it was an established fact, as far as factories were concerned, that by the consumption of smoke there was a considerable saving of fuel. With regard to collieries there were practical difficulties which rendered it doubtful, in his opinion, whether the consumption of smoke would ever be entirely possible. They had endeavoured in Lancashire to employ smoke-consuming apparatus, and although those attempts had been attended with great success, unless attention was paid to the matter by the stokers, smoke would, at certain times, escape and blacken the atmosphere. He trusted that some efficient means might be devised for that purpose; but the whole subject was one of such vast importance that he trusted the Home Secretary would take it at once into his most serious consideration, and that they would soon have, instead of numerous local Acts, some Act with respect to it which would extend over the whole country.

Sir MORTON PETO said, he would not have troubled the House with any remarks upon the subject under discussion had it not been for the fact that Lord Palmerston had asked him, when the subject was before dealt with, to make a series of experiments with a view to ascertain whether the evil complained of could be met in a practical manner. The late Member for Lymington (Mr. Mackinnon) introduced this subject Session after Session, but it was not until Lord Palmerston took up the subject that anything was done with it. When the late Premier was assured that the consumption of smoke would result in a great saving to the manufacturer, it was one among the great services that he had conferred upon his country that he took action in the matter. The result had shown that many instances could be cited similar to that mentioned by the hon. Member for Middlesex (Mr. Hanbury), who had mentioned the fact that his firm had saved upwards of £2,000 a year by the adoption of a process which had always before been looked on as objectionable. He saw no reason for believing that the same result would not attend the general adoption of the London plan throughout the country. If an example was wanted, he would point to Leicester, which had as many manufactories in and around it as any town in the kingdom, yet in the very centre of Leicester flowers would be found blooming as fresh as in a country village.

This had been done by the manufacturers, who had voluntarily made themselves subject to a law of their own. The right hon. Baronet had not overstated the case. It must be remembered, however, that manufactories often gave off vapours far more deleterious to the public health than the smoke itself, and unless some means were taken of stopping all exhalations the mischief would not be put an end to. He remembered that soon after the last Smoke Act was passed several hon. Gentlemen found, as they walked on the terrace skirting the river, that they were greeted with the odours of certain bone-boiling establishments, and other objectionable works of Lambeth; they were accordingly not long in extending the operation of the Smoke Act to works of that description. He trusted the Act which had done so much good to the metropolis would be extended by the Government to the country; he was sure the result would be equally satisfactory. There could be no doubt that both health and economy would be promoted by the universal application of the principle. He thought the House had reason to feel obliged to the right hon. Baronet the Member for Tamworth for having directed their attention to that question; and he hoped the Government would most vigorously prosecute the work which had been so beneficially begun by their late lamented chief.

SIR GEORGE GREY: I am sure, Sir, I only give utterance to the general sentiment of the House when I say that my right hon. Friend the Member for Tamworth (Sir Robert Peel) has done good service in bringing this matter before us. The time of the House cannot be employed to more advantage than in endeavouring to devise some practical means by which we may contribute to the health and enjoyment of the great body of the people. But, Sir, I would observe that, agreeing as I do in much that my right hon. Friend has said, he seems scarcely to have informed himself as to how far the laws at present in existence give the power to do what he desires—namely, to enforce the consumption of smoke in furnaces and manufactories. It is not generally known that the evil complained of would be very much decreased if the means at present in our hands were made full use of; and, although it may be desirable that some such Act as that suggested by my right hon. Friend to apply to the whole country should be passed, it is far more desirable that we should endeavour to insure that the law when passed should be strictly carried out. As regards London, I may mention that the Act under which the smoke from furnaces and fireplaces connected with steam-engines and manufactories is now consumed was passed with some doubt and hesitation. Exceptions were made to certain manufactories, in order to avoid compelling their owners to incur expense unnecessarily; but it was not long before it was found that the change would be an economical rather than an expensive change, after the first outlay had been made for the purpose of providing the machinery necessary to secure the proper consumption of the smoke. The exceptions were, therefore, abolished, and the proprietors of those manufactories before excepted found themselves gainers instead of losers by coming under the operation of the Act. It is desirable that the owners and managers of works should know that their outlay in the first instance, though, perhaps, considerable in amount, will be repaid in the long run, by which their interests are consistent with consideration for the public health and comfort. My right hon. Friend has alluded to the probable exhaustion of the coal-fields. Great doubt exists in the minds of scientific men upon that subject, and I will not now enter into it further than to say that, as we cannot look upon our coal-fields as inexhaustible, we should use our fuel with care, and take every precaution against waste, in order that the supply may last as long as possible. But what, Sir, is the state of the law at present? A clause was inserted in the Towns Improvement Act of 1847, requiring that every fireplace or furnace used in working engines by steam, or in any manufactory, should be so constructed as to consume the smoke arising from it; and the penalties attached to the Act are ordered to be enforced if these regulations are broken. This was a general Act, and it was required that its provisions should be incorporated in a special Act, in order to apply it to any large towns or districts. This has been done to a very large extent; and I may remark that the provisions of the general Act are as strict as the law relating to the metropolis. Then there is the Local Government Act which many hundreds of towns have adopted. This also provides for the nuisance. So that the evil complained of exists to its present extent only because the local authorities do not, from some reason or other, enforce the provisions of the law. I am afraid that local self-government is permitting itself to be placed upon its trial. Our proceedings here to-night almost amount to preferring an indictment against the local authorities throughout the country, because, having the law in their hands, they refrain from enforcing it. I wish my right hon. Friend would induce some of his correspondents, such as the gentleman who wrote from Blackburn and other populous places, to take proceedings to enforce the laws they have before they come to the Government for more stringent enactments. From the experience we have had in London, I should be very glad if the same system could be applicable to the whole country. What is the difference between the practice in London and in the country in reference to these Acts? The metropolis is subject to the action of the police, who act under the Chief Commissioner of Police, and he in his turn is subject to the direction of the Secretary of State, who authorizes prosecutions when cases of infringement of the law have been reported to him. Prosecutions are not frequent now because the nuisance has been greatly abated, owing, I believe, to the action of the police, and to the judicious manner in which the law has been enforced by the magistrates, who have refrained from dealing harshly, in the first instance, with persons charged with a breach of the law, and have allowed time for the adoption of proper means for complying with the Act. Why do not the local authorities of other places require their police to perform the same duties? My right hon. Friend the Chancellor of the Exchequer reminds me that in cases where the police have neglected their duty in the way I have described, the local authorities might be deprived of the contributions made by the Treasury to the Local Police Fund. I believe, Sir, we should have no difficulty in passing a general law. It is desirable that it should be done, but I would again remind the House that we must endeavour at the same time to insure that the law will be enforced. That is the practical difficulty. We all know how jealous local authorities are of the interference of Government, and how objectionable it is to send an army of inspectors through the country to enforce any law. We must hope that the local bodies, and those whom they represent, will feel it to be their interest to have such a law; and that their own interest or higher considerations will induce them to enforce it. I have directed an inquiry to be made in many of our principal towns as to the operation of the law and the means taken to enforce it, and the result will, I hope, throw some light upon the matter and assist us in finding a remedy for the evil we have to deal with. The hon. Baronet the Member for Bristol (Sir Morton Peto) told us that effectual measures had been taken in Leicester for the consumption of smoke in manufactories. The same statement would apply to Liverpool and some other towns; while there are many others in which that good example has not been followed. I have only to add that I will be very happy to contribute to the utmost of my power to secure the important object to which my right hon. Friend has directed our attention.

Mr. HENLEY said, he would suggest the desirability of setting informers to work. He was of opinion that if informers were pitted against the smoke, the one nuisance would soon destroy the other. What was wanted was the infliction and enforcement of heavy penalties.

ARTILLERY—THE REPEATING RIFLE.

QUESTION.

Mr. WATKIN said, that he had arranged with the noble Lord the Secretary at War, who had explained to him the cause of his absence, to proceed with his Question as to whether any and what experiments had been made with the repeating rifles in use in the United States army; and as to the use of similar weapons in the army of Her Majesty? By calling the attention of the House to a subject of such moment, admitting, as he felt assured the House would, that the British soldier ought to be armed with the best weapon of modern invention, the Question divided itself into two—namely, the alteration of the Enfield, the present arm of our service, into a breech-loader, and the provision of even a better weapon for at least a portion of our troops. He did not at all object, but the contrary, to the conversion of the Enfield, but he looked upon it as a temporary measure, and as not satisfactorily answering the demand for a weapon fully equal to that wholly or even partially in use by any nation with whom we might come into collision. The noble Lord had spoken of the alteration of the Enfield proposed by Mr. Snider, and he believed that ingenious inventor had succeeded in doing as much as it was possible to accomplish with this particular weapon. If what he had heard was correct, the Snider breech-loader Enfield cost to alter from 12*s*. to 15*s*., which was certainly a low price, and even that price, it was stated, could be reduced if a very large quantity of rifles were ordered to be fitted with this very simple breech-loading arrangement. He was told, also, that 240 rounds had been fired, and that the targets proved very effective results, the mean absolute deviation being only 7·86 inches, as against a mean deviation of nineteen inches in the case of the muzzle-loaders, or unaltered Enfield. As regarded rapidity of fire, twenty rounds were fired in a mean time of one minute and ten seconds, the smallest time being only one minute and three seconds. And as respected fouling, he believed that one of these rifles had been used for five weeks, in which time 1,000 rounds had been fired, without having to be cleaned at all. But remarkable as this was, it did not answer the case he wished to make. That case was that a more efficient arm still existed and ought to be adopted, and that the experience gained in actual warfare by the armies of the United States deserved, and ought to receive, the most serious consideration of the War Department. The noble Lord had stated that all countries were equally anxious to adopt a breech-loader, but that hitherto they were all as far behind, if not more so, than Great Britain. He joined issue with the noble Lord upon that statement, and he asserted confidently that the United States army possessed better weapons than we did. In the United States veteran Generals contended that not only must there be breech-loaders, but that, especially for cavalry, a repeater, or rifle not merely loading at the breech, but also carrying its own ammunition, or magazine, was required, and the United States army, more or less, possessed it, and had the war gone on no doubt the whole army would have been served with it. He contended, therefore, that in altering the Enfield we had only got some way upon the right road. In America there were many kinds of repeating breech-loaders. He would mention two, not desiring to say that they were either the best or that they could not be improved if submitted to the known ingenuity of our own able mechanics. They were the "Spencer" rifle and the "Henry." The "Spencer" was loaded through the stock, seven cartridges being inserted in a steel tube containing a spring, and thus seven shots could be fired and then the piece be re-tubed in less time than it took to load the ordinary muzzle-loader musket. The "Henry" had a cartridge tube alongside the barrel, and with this arm fifteen shots, and with the long piece twenty-one shots, could be fired without reloading, and when this number had been fired the piece was re-loaded by again filling up the tube with cartridges. He had stated the work of the "Snider" rifle, and now he would mention the performance of the "Spencer." That rifle, in the hands of a steady soldier, would fire its seven shots in twelve seconds, or at the rate of thirty-five shots per minute. In platoon firing, or firing by word of command, it would discharge once in three seconds, or at the rate of twenty shots per minute. If this rapidity were multiplied by the numbers of even a small force opposed to a larger body armed with muzzle-loaders, it would be seen that nothing could live before such a fire. It was alleged by the opponents of the rifle that all magazine guns were liable to explode. He was assured, however, by officers of distinction with whom he had conversed in America, that this was very seldom the case, and that there was practically no danger of the blowing up of the store or magazine of cartridges. Then the range and power of the gun were excellent. It would throw a ball 2,000 yards with accuracy, and at a range of 150 feet would send a ball through thirteen inches of solid timber. In fact, rapidity, range, power, endurance, and safety, seemed to attach to this as to other similar weapons used during the late war. [The hon. Member then read to the House letters speaking in the highest terms of the efficiency in actual battle of the "Spencer" rifle, from General Howard, General Hawley, and especially from General Joseph Hooker; and in favour of the "Henry" rifle from Major Baker and Colonel Kingsbury, Chief of Ordnance, U.S.] To sum up, all the evidence he had collected went to show that these weapons made one man as effective as from four to six armed with a common muzzle-loader, and far more effective than the soldier armed with the mere breech-loader. In fact, he had been told that dismounted cavalry, pushed up to an enemy in large force, had often literally swept away the front opposed to them. Now he did not know that any one contended that every arm of the service should possess exactly the same weapon. The same types were, of course, necessary; but not one single weapon for every purpose. Therefore, what he had said did not condemn the improvement at a small cost of the existing rifle; but, at the same time, it went, he trusted, to show that such an improvement provided for only one part of the want of the army. Every one remembered the struggle, both in and out of that House, by which the percussion cap at length replaced the old flint lock, and the rifle was at last substituted for "Brown Bess." Discussion and inquiry had now proceeded too long as to breech-loading. The War Office had not even yet made up its mind either as to what was, abstractedly, best, or what could at once be practically applied as a decided improvement. For himself, he would greatly prefer to see the War Office adopt the invention of Mr. Snider, and thereby largely and cheaply increase the effective power of our arms, than stand still and do nothing. But even that would leave it imperatively needful to obtain also a repeating rifle at least equal to that of America. It would indeed be discreditable to that House and to the country if a war should come upon us and find us unprepared with the most obvious improvements in arms adopted by other countries. He trusted that the subject would be seriously taken in hand. He did not at all blame the able and laborious officers engaged upon the "small arms" and "breech-loading" Commissions for the delay. If blame existed, it must attach to the noble Lord and the prominent members of the War Department, who could order what they pleased, and whose practical recommendations were rarely refused by that House.

Major WALKER said, that having studied pretty closely all the evidence given before Committees of the House of Commons on this subject, he had observed that the merits claimed for the breech-loader were grounded principally on the advantages derived from its rapidity of expulsion. But another great advantage which it possessed arose from the rapidity with which you could qualify a man to take his place in the ranks if the breech-loader were the arm used. Drilling generally went on in time of peace, and perhaps this was the reason we were not apt to think of the time devoted to it; but a panic was felt when, during the Crimean War, it was found necessary to issue an order that recruits should be placed in the ranks after a drill of six weeks. He had had some experience of firelock drill; and was prepared to say that if our troops were armed with the breech-loader instead of the muzzle-loader the period of trial might be shortened by ten days or a fortnight, and the most irksome, wearisome, and painful period of a recruit's instruction be thus curtailed.

DOGS IN SCOTLAND.

OBSERVATIONS.

Mr. ELLICE said, he rose to call the attention of Mr. Chancellor of the Exchequer to circumstances connected with the collection of the Tax upon dogs, and to ask, whether any alteration was contemplated with regard to that Tax? His part of Scotland was favourably situated for the establishment of a cordon to prevent the movement of diseased cattle. Stringent measures had been adopted to prevent the spread of infection, and cattle were prevented from passing over the Caledonian Canal from the south to the north of Scotland. But there was a class of animals with which they had no means of dealing—namely, the ownerless dogs which roamed through the country day and night. Those dogs completely eluded the cordon, and the guards placed on the bridges of the canal. The danger of the spread of infection had thus become so imminent that the gentlemen of the district considered how it could be met and what measures could be adopted to lessen it. They commenced by inquiring whether the alleged owners of those dogs acted up to their legal obligations by paying the dog tax. They told the local revenue authorities that the county was ready to give them the assistance of the police, and the assistance of the Excise officers would have been available also. But the local revenue authorities refused to interfere. Having failed with the local authorities, he and the gentlemen who acted with him made an application to the Board of Inland Revenue; and he was permitted to read to the House the Minute he had received from the Board. It was as follows:—

> "It is the business of the surveyor of taxes for the district to bring into charge the owner of every dog liable to the tax; but before making an assessment the surveyor must ascertain the owner or person harbouring the dog, and, furthermore, he must satisfy himself that the dog is not exempted from duty. The exemption extends to all dogs kept for the care of sheep or cattle, or in driving or removing the same, without limit as to number. Thus the dogs of tenants (without limit

> as to rent), shepherds, drovers, and butchers are exempted from duty. No surveyor or other officer can satisfactorily, or on all occasions, determine what dogs are exempted and what are not. If the surveyor is to take the statement of the owner of a dog, or that of his neighbours, he will conclude that the dog is exempted. If, on the other hand, he shall disregard the statement of the owner and his neighbours, and assess the owner, the local commissioners will relieve and the Judges will confirm; and, in the meantime, considerable expense may have been incurred by the Crown, as well as by the appellant, in a matter in which the Crown is ultimately defeated."

Acting on that view of the case, instructions seem to have been given by the authorities that no effort should be made to collect the tax. Practically it was a nullity, except in the case of those who paid it voluntarily. He believed that comparatively very few in the north of Scotland paid the dog tax, though hundreds—indeed, he might say thousands—of dogs were roaming about the country. Every cottier was in the habit of keeping one or more dogs, though many of those cottiers found it difficult to find sufficient food for themselves and their families. The consequence was these dogs roamed about to find food which their owners were unable to give them, and found it at the expense of the farmers. The loss of sheep in the West Highlands had risen to the alarming extent of not less than 10 per cent per annum. He did not say that the whole of that loss was attributable to dogs; but there could be no doubt that thousands of dogs had no other way of feeding themselves than on the flocks of the farmers. In Ireland a tax of 2*s.*, by an Act making it imperative on any person keeping a dog to declare himself the owner of it, had been willingly submitted to in order to abate the dog nuisance; and for England also a Bill had been passed to meet it. Beyond the depredations upon their stocks, farmers, and others interested in our stock farms, were now in great alarm lest the rinderpest should be spread by the uncontrolled wanderings of these unowned dogs. The farmers would gladly pay a moderate and fairly assessed tax. A tax of 12*s.* seemed an immoderate charge; but, from conversations he had had with farmers he believed that a tax of 4*s.* or 5*s.* would be willingly paid. He thought that though the immediate effect of imposing a moderate tax, the payment of which was to be rigidly enforced, would be to diminish by one-half the number of useless dogs, the revenue would still be the gainer by such a change. He hoped, therefore, his right hon. Friend the Chancellor of the Exchequer would give the House an assurance that he would take the subject into his attentive consideration. If his right hon. Friend was not prepared to impose a moderate tax and enforce it, he ought to abolish the tax of 12*s.*; for it was not fair that a minority should pay that impost while the majority of those who were liable to it escaped its payment altogether.

MAJOR WALKER said, he was a proprietor and sheep farmer in the neighbourhood of the hon. Gentleman, and entirely concurred in every word which had fallen from the hon. Gentleman. [*Cries of* "Order!"]

MR. DEPUTY SPEAKER: The hon. Gentleman has already spoken.

THE CHANCELLOR OF THE EXCHEQUER said, he was sorry his hon. and gallant Friend had been prevented by the rules of the House from giving his views fully on the subject, but what those views were could be gathered from his having so emphatically stated that he concurred in all that had fallen from his hon. Friend who had introduced the subject. It would have given him much pleasure to hear the opinions of other hon. Members on this question. He would never be inclined to evade any responsibility in dealing with a subject which was properly of a financial character, and where there were means of obtaining a thorough investigation. But the Treasury found itself embarrassed in dealing with certain subjects, especially where considerations of revenue were mixed up with considerations of police. It was very difficult to make proposals of a fiscal character when those proposals were liable to be suspected and to be taken for what they were not, and it was equally difficult to make proposals relative to police when it might be supposed that considerations connected with the public peace and comfort were merely put forward for the purpose of getting money. It would be impossible for him to move in this matter without the assistance of the House. He must be made aware of what the sentiments were in different parts of the country upon the question before making any proposal. This subject had been one of the standing difficulties of the Revenue Department ever since he had any connection with it. When he first became Chancellor of the Exchequer, in 1852, the matter was in almost inextricable confusion from a distinction which then prevailed in the rate of duties, some dogs being taxed at 8*s.* or

10*s.*—he forgot which—and others at 14*s.*, the distinction between the rate depending on the question of breed, and there being no means whatever of determining this most difficult matter, this question of breed was added to the other difficulties the surveyors had to contend with. The promiscuous crosses among dogs were greater, perhaps, than among any other description of created beings. Then came the uniform tax of 12*s.*, a rather high rate. His hon. Friend said they ought either to proceed on a strict system or abolish the tax. The tax, no doubt, was very unequally enforced; a great many liable to it did not pay; but speaking generally, the efforts of the Revenue officers to enforce it were very successful, the best proof of which was that it was paid upon 300,000 dogs—or, in other words, on the supposition that people paid for two dogs each, which could hardly be the case, 150,000 persons paid the tax. Now, though we had an army of 150,000 Volunteers for another purpose, he very much doubted whether an army of 150,000 volunteers could be easily found to pay the dog tax. He admitted the tax was too high to be enforced, but lowering it would not remove all the difficulty. It was necessary, if there should be a remodelling of the tax, that the exemptions should be removed. It was quite obvious that any proposal to part with a tax which brought in £170,000 a year could not be adopted without much consideration; and he doubted whether the House, taking into account the many claims which it had to meet, would think it desirable to make the keeping of dogs cease to be a source of revenue to the country. He had, however, always found this difficulty. Mankind might almost be divided into two classes—the dog-lovers and the dog-haters. There was no medium. Every man either kept a dog or hated it. There were a great many who hated dogs, such hatred being founded on different principles. Dogs were a nuisance to that great part of the community who did not keep them. Some persons liked them for their social qualities, some for their sporting qualities, and others liked them because they took care of their houses; but to a great portion of the community they were a considerable nuisance. What a nuisance dogs were about the streets of London, and how many accidents were they the cause of! He knew very well from whole floods of correspondence relating to the dog tax that there were many who felt very jealous of keeping up the exemptions. Then take the sheep farmers. The destruction of sheep by dogs was very considerable, and the annoyance of dogs to parties who were not their owners very great. Now, it would in his opinion be quite possible to lower this tax very considerably—to 5*s.* or 4*s.*—without entailing any material loss of revenue. It was not a subject on which, if they could avoid it, they ought to give away much money. But if any change were made the tax must cease to be an assessed tax, for assessed taxes were very cumbrous and troublesome of collection. The first thing was to get a man liable to the charge, then he had to make returns, then a demand was made upon him to pay, and sometimes it was necessary to go through various troublesome processes before the money could be recovered. The most beneficial change, then, that could be made would be to convert it from an assessed tax into a licence duty. Every man who kept a dog should be bound to take out a licence and pay so much for it, and all that could be done in a moment. The abolition of exemption would be another portion of the scheme, and the strict enforcement of the tax upon every one who kept a dog, whatever his condition in life, should be upheld. It would be quite necessary that the aid of the police, who possessed peculiar means of knowledge, should be given to the Revenue officers. At the same time there were other points of view from which the question might be regarded, especially by those portions of the community who were much attached to the keeping of dogs, and who, therefore, did not suffer from them as others did. To call in the aid of the police in the matter was what he should not like to ask the House to do, unless the people generally considered it would be a fair and reasonable demand. He was not at present in possession of full knowledge to enable him to frame a proposal on the part of Her Majesty's Government, though he did not think it would be at all difficult to do so. It would be necessary that the matter should undergo some independent investigation, not open to the objection that it had pecuniary objects, and he would be glad to see it examined into by a Committee of the House. Such a Committee would give an opportunity for ventilating the question, and for the production of all parts of the case in an impartial and effective manner. If the result of the inquiry was that a plan such as had been more or less sketched should be thought practi-

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cable, he should have great satisfaction in proposing it on the part of the Government. And now one word, in the absence of his noble Friend the Secretary for War (the Marquess of Hartington), on the subject upon which his hon. Friend the Member for Stockport had spoken. The remarks of the hon. Member (Mr. Watkin) on the Spencer and Henry repeating rifles had been listened to with great interest by Her Majesty's Government. The accounts which the hon. Member had given of rifles so much approved in the American war, were of a character to draw attention; and he (the Chancellor of the Exchequer) was safe in promising, on behalf of the Department of whom his noble Friend (the Marquess of Hartington) was head, that they would give their careful attention to all information which could be collected in regard to arms which seemed so exceedingly formidable.

MR. BAXTER said, that as the Chancellor of the Exchequer desired to know the opinions of Members upon the subject introduced by the hon. Member for St. Andrew's (Mr. Ellice), he had for himself to state his entire concurrence with all that the hon. Member had said. At the same time, he felt very great doubt whether the subject was one of sufficient importance for the appointment of a Select Committee, and was inclined to think that those interested in the subject would be satisfied if the right hon. Gentleman would himself propose such changes in the law as he had indicated in his speech. All that was necessary was to reduce the duty from 12*s.* to 4*s.* or 5*s.*, to abolish the exemptions, and to transfer the charge from an assessed tax to a license duty.

FISHERIES (IRELAND).—QUESTION.

MR. BLAKE said, he wished to ask Mr. Attorney General for Ireland a Question of which he had given notice, but before putting the Question he wished to make a few remarks. The most opposite beliefs on the subject of trawl fishing existed in Ireland, and this was not to be wondered at, seeing that Mr. Commissioner Barry expressed an opinion on the subject differing from that contained in the Report of the Sea Fisheries Commission. With the great facilities the Commission had of obtaining the most reliable information, one could have little hesitation in relying on their Report, even although it was opposed to the opinion of Mr. Commissioner Barry. The condition of the Irish Fisheries was at present anything but prosperous. It appeared that in 1830, through the stimulus of bounties and loans, the number of vessels of all classes engaged in the Irish Fisheries was 13,119, and the number of men and boys employed 64,771. In 1836, when the fisheries were in a state of depression, caused through withdrawal of bounties, the number of boats employed was 10,761, and the number of men and boys 54,119. The fisheries soon recovered from this depressed condition, and in 1845 gave employment to 19,883 vessels and 93,073 men and boys. After the famine in 1848 there were only 15,932 vessels, with 70,011 hands, and in 1865 the number had still further decreased, there then being engaged in the Irish fisheries only 9,300 vessels and 40,946 hands. The Commissioners, in their Report, stated in the following words the reasons which had caused this great falling off in the Irish fisheries:—

> "The great decline in the number of fishermen we believe to be wholly due to the effects of the famine of 1848, and the subsequent emigration. It might have been anticipated that during the famine the fishermen at least would be secure from its ill effects, and would not only have plenty of food themselves, but would be the means of averting starvation from others. But such was not the case; it was found that the people would not live wholly on fish, nor would they out of the small means remaining to them buy fish in preference to meal or potatoes; the fishermen, therefore, suffered not only from the loss of their own crops of potatoes, but from want of market for their fish. They shared to the full extent in the sufferings of the famine, and as most of them became physically incapable of going to sea, it was frequently found that men were starving while fish were in abundance on the coast. In many parts of Ireland the fishing population has not yet recovered from the depression and ruin caused by the famine; and the subsequent emigration, by taking off the youngest and ablest of the fishermen, and leaving behind the old, the feeble, and the incompetent, has still further operated, not only in reducing the numbers, but in lowering the average condition of those who remain behind."

If some of the restrictions which were at present imposed in trawling were removed, he believed that the Irish fisheries would rapidly regain their prosperity. This question was one of Imperial interest. At a period when meat was every day increasing in price, the Government ought to let no opportunity pass of encouraging the fisheries. In 1845, when there was the greatest number both of boats and persons employed, a general impression prevailed that if the fisheries of Ireland were properly developed they would be capable of giving employ ment to three times the number of fisher men, and that would be equal to ten times the number now employed. In that way, one-tenth instead of one-fiftieth of the population would be engaged in fishing, and there would be a large increase in the supply of food to the English as well as the Irish markets. The necessary stimulus could be given without the smallest cost to the Exchequer. They had only to remove some of the present restrictions, and small companies and individual capitalists would be ready to engage in these enterprizes. At certain seasons it was quite impossible, from the tempestuous nature of the coasts, that boats could proceed to the deep sea fishing-grounds; but if some of the restrictions on trawling were removed, companies would provide a double set of boats, one class for deep-sea fishing, and the other for in-shore fishing, so that when the weather would not permit the men to go out to the deep sea they could employ themselves in bay and coast fishing. Since the Report of the Royal Commissioners had been published several companies had been formed, and were only waiting to hear that the Report would be carried into effect to begin operations. One important branch of the Irish fisheries—the oyster fishery—had greatly declined. Nowhere was there so good an opportunity to prosecute the oyster fisheries as in Ireland, and nowhere was so little done. It was his intention at a later period of the Session, if he had the opportunity, to bring the subject of the Irish fisheries before the House; but he trusted that the necessity for his doing so would be obviated by the Government taking the matter into its own hands. It was to be hoped that during the Easter recess the Attorney General for Ireland would take into his consideration the propriety of introducing a measure for giving effect in that country to the recommendation of the Royal Commissioners. He begged to ask, Whether it is the intention of the Irish Government to adopt measures, during the present Session, to give effect in Ireland to the recommendation of the Royal Commissioners appointed in 1863 "to inquire into the Sea Fisheries of the United Kingdom," with regard to the removal of restrictions on fishing, and encouraging the culture of Oysters?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, that the Report to which the hon. Member had referred was laid on the table of the House only very recently. The Report was not confined to Ireland, but applied to every part of the United Kingdom. The question was a very large one, and as the recommendations of the Commissioners were of a very important and, as far as his knowledge went, very novel character, they required very serious deliberation. It was hardly to be expected, therefore, that the Irish Government should be prepared to take any measures for giving effect to them. With respect to what the hon. Member had said as to the state of the Irish fisheries, he was not aware of any legal restrictions which prevented Irish capitalists from engaging in the pursuit of fishing. There were facilities for establishing oyster beds in Ireland which did not even yet exist in England. As to there not being so large a proportion of the Irish people employed in fishing as the hon. Member thought there ought to be, that was scarcely a matter which the Government could alter. Many boats went from England to fish on the coast of Ireland; and if the Irish fishermen had boats of the same tonnage and capacity, and furnished with the same implements as were furnished to the English crews, there could be no reason why they should not carry on that branch of industry near their own shores. Much faith was not to be placed in any attempts on the part of the State to stimulate and foster the fisheries of the country by bounties or similar means. They had been already tried without having the desired effect. The matter must be left to the growth of private enterprize; and all that the Government could do was to take care that no legal obstacles, or undue restrictions, should check the development of those pursuits.

ENGINEERS OF THE ROYAL NAVY.

OBSERVATIONS.

SIR EDWARD DERING said, he rose to call the attention of the House to the position of the Engineers of the Royal Navy. Their pay was quite incommensurate with the duties they were called on to discharge. It was hardly possible to overrate the value of their services, because it was upon the ability with which they discharged their duties that the efficiency of that steam fleet which had been so much discussed the last few nights depended. A chief engineer ranked with a lieutenant in the navy, and an inspector of machinery afloat ranked with a post captain. The engineers properly claimed that they should be placed in a position not inferior to those who held corresponding rank in the service. There were several points to which he wished to direct the attention of the House. First, as to the pensions of widows. By the existing regulations the widows of engineers and assistant engineers had no pension whatever, unless it happened that their husbands were killed in action or in the immediate performance of some active duty. This was a great hardship, because only 20 per cent of them ever obtained the rank of chief engineer, which only gave a title to a pension. The great majority of the engineers and assistant engineers were in this position. They might serve Her Majesty fifteen years or more, exposed, perhaps, to the perils of a dangerous climate, or what might be even worse, the atmosphere of the engine room in regions where the atmosphere was at 130 degrees or 140 degrees, and if their constitutions gave way no provision at all was made. By the evidence taken in 1863 it appeared that there was a greater mortality among officers of this class than among the other officers of the service whose duties required them to be upon deck. There was another point respecting which they had cause of complaint. The widows of assistant-surgeons, who had corresponding rank, and of warrant officers, who were of inferior rank, had pensions if their husbands died, but the widows of naval engineers were not similarly provided for. The next point affected the position of chief engineer. When an officer attained the rank of chief engineer, or rather before he received the highest rate of emolument attaching to it, he must show twenty-five years of service. He did not complain of the regulation; it might be a proper one; but he complained that a man after having served Her Majesty perhaps for twelve or fourteen years, when he obtained the rank of chief engineer, instead of being allowed to count those fourteen years, by the regulation of the service was allowed to count only four years. The special hardship was, that a man entered, perhaps, at the age of twenty-one, and, after serving twelve or fourteen years, perhaps became chief engineer at the age of thirty-five, but not being able to count the fourteen years he had served, but only four, he was obliged to serve another twenty-one years before he got to the top of the tree; so that by the time he got to the head of his profession he had reached the age fixed by law for his retirement. He begged to press upon the noble Lord (Lord Clarence Paget) whether it would not be just to make the period of retirement fifty instead of sixty years of age? It was shown most conclusively by the evidence taken in 1863 that an engineer was as old a man at fifty as most men belonging to other classes of the profession at sixty. He would advert to the case of assistant-surgeons. The noble Lord called attention the other night in moving the Naval Estimates to the state of the medical profession, and mentioned the difficulty of getting medical men for the navy, and said it was necessary to offer some inducement to obtain a sufficient supply. But how stood the case of the assistant-surgeon, who had the same rank as the engineer? After the assistant-surgeon had served ten years he was made surgeon, and he was not restricted to counting only four years, but was entitled to count the whole of the ten years that he had served Her Majesty. The next point was one which could hardly affect the Estimates in any perceptible degree, yet would relieve a great deal of individual hardship. An increase of pay took place every five years. A man, therefore, of nineteen-and-a-half years' service retiring on half-pay was paid upon fifteen years only instead of upon his full period of service. This might seem a trifling matter, but it seriously affected half-pay officers. The difference between the allowance upon fifteen years' service and that upon twenty years was no less than £45 a year. If there were a proportionate increase for every year of service, or if the period were reduced to three years, little difference would be made in the Estimates, but a great boon would be conferred on those personally interested. The last point which he would press upon the noble Lord was the position of inspectors of machinery afloat. There was, perhaps, no class of officers upon whom greater responsibility rested, for upon their care and vigilance not only the efficiency, but also the very safety of the ship depended, and yet when on full pay they had a mere trifle more than the chief engineers, who were freed from responsibility—at least, while the inspectors were on board, and on half-pay they received just the same amount as chief engineers. This was, perhaps, the only instance in the army or the navy of officers getting increased rank without any substantial increase in pay. The proof that the grievances were real was the position which officers of this class occupied in the merchant navy. In the merchant navy there were 900 registered engineers, and of these only two had joined the Royal Naval Reserve. He would add that within the last year or two many engineers in the Royal Navy of five and six years' standing had left the service and entered the merchant navy; so that the Royal Navy was a nursery for officers who, when they became efficient, left it. In the case of an emergency there might be great difficulty in getting a sufficient number of engineers for the Royal Navy, and should this happen it would not be a pleasant reflection for the noble Lord, that it was in consequence of harsh and rigid regulations that a most valuable class of men had been driven from the service. A minor grievance was, that while sub-lieutenants, second masters, and assistant-surgeons were included in the official *Navy List*, the naval engineers were omitted, which was an invidious distinction, but it might be an oversight which could be easily remedied. The claims made by the engineers were just, and their concession would promote the efficiency of the service.

Lord CLARENCE PAGET said, that if the Government had power to give a general increase of pay to the navy so valuable a body of men as the engineers should not be excluded from the advantage. But the truth was that admitting the moderation of the hon. Baronet's tone, and sharing his appreciation of the services of the engineers, nothing was so difficult to meet in that House as claims advanced on behalf of a single class of officers without reference to other classes of officers of equal merit and importance, when the position of each must be governed by a general standard applicable to all. When an hon. Member sought to improve the position of a particular class of officers he usually ignored other classes, but the Government was bound to take a wider view, and to consider other classes; and in considering the case of the engineers they could not overlook surgeons, masters, and other classes in the navy. Many of the demands made by the engineers in their Memorial to the Admiralty of the 1st of January were not founded upon a fair comparison of their pay, work, and position, with that of other officers of their rank in the service. As to a man not reaching the top of his profession until he was advanced in years, that was the rule in most employments; but a well-conducted man might become a chief engineer at the age of thirty-three. An engineer receives half a guinea a day under five years' service; in five years 11*s.* 6*d.* a day, and so on up to the higher grades—a rate of payment and of advance proportionate to those of corresponding ranks in the service. The hon. Baronet asked why was there not an increase of pay every year; but if the pay of engineers was to rise annually, so must that of other classes of officers; and the system in the navy was to regulate increase in pay by periods of years. The hon. Baronet had omitted to state that engineers had extra allowances when they were in charge of engines, and on a line-of-battle ship the allowance was as high as 3*s.* a day extra pay. Engineers were only like other classes in not being allowed to count the whole of their time as juniors for increased half-pay. Officers in the navy did not count their service for half-pay until they had attained a position in which they were considered to be thoroughly acquainted with their duties. In the junior classes of the service they were supposed to be learning their business. [Sir EDWARD DERING: Assistant-surgeons.] They were an exception, because their education was long and expensive, and they were professionally competent when they entered the service. There was no difficulty in getting engineers, although the pay was better in the merchant service; but there was difficulty in getting surgeons, because of their prospects in private practice, and it was therefore their duty to propose an increase in the pay of the surgeons. Such considerations ought not always to regulate the action of Government, because there might be individual cases of inadequate payment. Regarding the Memorial from the engineers, which came before the Admiralty only on the 1st of January, it was not wise or politic for a department of the navy to appeal to Parliament for a redress of grievances, when they had gone to the heads of their department to ask for an improvement of their position. He must say that he did not think that these things could be properly dealt with in that House. There were, no doubt, some points of their case which were peculiar, such, for instance, as the nature of their business confining them to a narrow space in a very high temperature; but when their position was compared with that of other officers in the navy, he did not think there was any case for consideration. One thing in their favour was, that whilst officers of almost every class in our service were for a considerable portion of their time upon half-pay, engineers were almost continuously on full pay. He could give no promise whatever to the engineers, but could simply say that their Memorial was under the consideration of the Admiralty.

Mr. OTWAY said, he congratulated the engineers on obtaining so able an advocate as the hon. Baronet (Sir Edward Dering), who had so fairly and comprehensively explained their case to the House. He (Mr. Otway) complained of the difficulty that existed in the way of obtaining justice from the Admiralty. The only response it was possible to obtain when representations were made of grievances or other matters was that they were "under consideration." This matter had, however, been already considered in the House. The Duke of Somerset stated before a Committee that the subject was under consideration then as it was now. But when would the consideration be brought to any result? It was the complaint of every branch of the service that the Admiralty was always considering the case, but no advantage ever came of it. He was bound to press upon the attention of the House the most important matter concerning the widows of a class of officers who were exposed to unusual dangers, and among whom the mortality was very high. The engineers were confined in an atmosphere the temperature of which ranged from 60 to 145 degrees, while enduring other hardships which it was not necessary for him to recapitulate. Yet the widows of these men were not allowed any pension. He hoped the noble Lord would give the House some satisfactory explanation of the matter.

Lord CLARENCE PAGET said, that the engineers were not the only class of men whose widows did not receive a pension. Nothing was allowed to the widows of assistant-paymasters, second paymasters, and other officers of a corresponding rank with the engineers.

Mr. Serjeant GASELEE said, that the engineers were as reluctant as the noble Lord could wish to have their claims brought before the House; but the difficulty was, where else were they to go? They came to the House because it was absurd to go to the Admiralty for redress of grievances. He was much disappointed at hearing the noble Lord's speech, which amounted to this, that the thing would hang on until the end of the Session, and would then be indefinitely postponed, thus holding out no hope to these unfortunate people. He must say that he considered that the claim of the widows to pensions was one that deserved the serious consideration of the Admiralty. He did not understand the different classes and ranks, but he considered it was an extraordinary anomaly that the widows should have no pensions except in the cases of husbands killed in action or dying of wounds received in action. A man who died of fever or dysentery contracted on an unhealthy station, such as the China Sea, equally lost his life in the service of his country. He hoped the noble Lord would urge the Board to look into the question, with the desire not to put it off, but to see what could be done in the matter.

Motion *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply *considered* in Committee—Navy Estimates.

(In the Committee.)

(1.) £173,655, Admiralty Office.

Mr. FERRAND said, he wished to draw attention to a Return for which he had moved, and which he held in his hand, observing that he should like to know what excuse was to be made for the inaccuracy of the information which it contained. In consequence of the opinions expressed in the House and out of it, as to the way in which the Admiralty accounts had been kept, he had been induced to look into the matter. For years great complaint was made as to the incorrectness of these accounts, and no one had found greater fault with them than the noble Lord himself. The hon. Member for Halifax (Mr. Stansfeld), when connected with the Admiralty, had gone on a roving commission, and had made some rather severe remarks on the way in which the accounts were kept. They were told that for the future every farthing of the naval expenditure would be accounted for. With respect to allowances in other departments, the requirements of the Treasury were adhered to, but in the Return referred to he found that no less a sum than £643 was allowed to the Lords of the Admiralty, and to the Secretaries to the Board—the noble Lord opposite and Mr. Romaine—for oil. That allowance he believed to be just and proper, but what he complained of was that no mention was made of its having been converted into a money payment, and that the Lords of the Treasury had not been consulted with respect to the change. He also found that seventeen allowances were made to clerks in the Admiralty amounting to £1,150, but the Return did not contain the slightest evidence that those allowances had been sanctioned by the Treasury. He should like to hear from the noble Lord how that happened to be the case. In 1861 the hon. Baronet the Member for Bristol (Sir Morton Peto) had moved for a Return, which was afterwards laid upon the table, of the resignations and salaries of the clerks in the Admiralty at Whitehall, but it was not dealing fairly with the House of Commons to keep back until this very day a Return of these allowances. He held in his hand a Return showing that all the allowances granted in the Treasury and the Civil Service were sanctioned by the Lords of the Treasury, but from the other Return to which he had alluded it did not appear that a single allowance had received the sanction of the Treasury. He admitted that the amount was small, but still there was thus a total sum of £1,793 which was paid in the Admiralty at Whitehall to officers of that Department, and which could not be traced in the Return just laid upon the table. He would ask the noble Lord to state from what source this money was derived, whether its payment was sanctioned by the Treasury, and whether a Minute had been made of such sanction having been given. If it had not, then he submitted that it was the duty of Parliament to take care that next year the accounts of the Lords of the Admiralty should be as clear for hon. Gentlemen to understand as the accounts of the army and the Civil Service. It would be found on reference to the Estimates that instead of all the expenses of the Admiralty being set down on the same page, the expenses of the messengers, &c., in the Secretary's department were given in a different part of the Estimates. Now, he was of opinion that the whole of the expenses of the Admiralty Board at Whitehall should be placed under one head in the Estimates so that the whole might be seen at a glance. In the remarks he had made he wished it to be distinctly understood that he did not for one moment dispute the justice of the allowances to which he had drawn the attention of the Committee. On the contrary, he thought it was a wise thing to grant allowances to faithful public servants for any extra duties which they might perform.

Admiral WALCOTT said, that since he had had the honour of a seat in that House the Naval Estimates had never been produced in so clear and straightforward a manner as they had been of late years, and for this change the Board of Admiralty were entitled to great credit. The hon. Member for Devonport (Mr. Ferrand) had, however, noticed some points in regard to which they probably might be made more clear and explicit. The members of the Board of Admiralty occupied a very responsible and laborious position, and in his opinion if their salaries were increased they fully would deserve it. He objected, however, to the allowance of oil, and he hoped for the future it would be commuted into a money payment. As it at present appeared in the Estimates, this allowance subjected these officers to appear in an invidious and somewhat derogatory position, because the sum so apportioned could by no means be expended for the purpose it indicated.

Mr. HANBURY-TRACY said, it appeared that no less than £7,816 was paid to seventy-eight messengers and porters. He wished to ask the noble Lord what class of men they were chosen from? There was also one lady housekeeper, and he should be glad to know whether that appointment was bestowed as a reward to the widows of deserving officers.

Lord CLARENCE PAGET said, that with regard to the oil he was afraid he had himself been instrumental in cutting down the allowance at the Admiralty in 1860. In old times the allowances had been made for oil before gas was introduced, but when that change took place the houses were lit at the public expense with gas, but the allowance for oil continued till 1860. Soon after Lord Palmerston's Government came into office he, and the hon. Member for Bedford (Mr. Whitbread), who was then Civil Lord of the Admiralty, ascertained the average expense of the gas for a certain number of years, and assigned a fixed allowance per annum to each of the Lords of the Admiralty and the Secretary. He believed the House would not be disposed to quarrel with that arrangement. With regard to the allowances to clerks it was perfectly true that a certain number of clerks received special allowances for certain exceptional and peculiar business, and that those allowances had not been granted with the sanction of the Treasury. If, however, the hon. Member would look to the dates, he would perceive that the present Government was not responsible for that state of things. For a considerable number of years allowances had been granted for the performance of certain duties which came under the head of "Contingent Allowances," and which were to be found in the Vote for Contingencies. He agreed that it was advisable that all the particulars should be shown in the Estimates; but if every little allowance to everybody were minutely set forth, the Estimates would be swelled to such an extent that hon. Gentlemen would complain of their bulk. He would inquire, however, whether in future years all fixed allowances might not be inserted in the Estimates, for there was not the least desire for concealment with regard to them. His hon. Friend the Member for Montgomery (Mr. Hanbury-Tracy) had asked what class of men the messengers were taken from. It used to be the practice to appoint domestic servants as messengers, but now old sailors and soldiers were almost invariably appointed. The housekeepers both at the Admiralty and Somerset House were formerly widows of meritorious officers, but it was found that though they were most estimable ladies they were very inefficient housekeepers. It was found absolutely necessary, therefore, to appoint a lady who could undertake the duties of the office.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £1,368,971, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of Her Majesty's Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1867."

MR. SEELY said, he wished to ask some questions with respect to the principles on which the construction of the navy was to be carried out. In what position was Captain Coles to be placed? Was the controversy between him and the Admiralty to continue, or was he to be allowed to construct a vessel according to his own theories? or were Captain Coles and Mr. Reed to be coupled together to the obstruction of each other. This was not merely a money question, but one which affected even the safety of the kingdom. Captain Coles did not hesitate to say that the ship which the Admiralty proposed to build would not carry out his designs, and would not be a fair test of his principle. The country, therefore, ought to know whether Captain Coles could be left unfettered to carry out his own principle, or whether he was to be clogged, as he had been for the last five years, by the Board of Admiralty. It would be very unfair to couple Captain Coles with a gentleman opposed to the turret principle. He thought that he should be able to show that Mr. Reed was opposed to that principle now, though favourable to it in the early part of his career. It was not right to refer to a previous debate of this Session; but it might be taken for granted that the noble Lord (Lord Clarence Paget) held the opinion that Mr. Reed was not opposed to the turret principle of Captain Coles. But he (Mr. Seely) could show that Mr. Reed was opposed to it. In the evidence which he gave before the Committee on the 23rd March, 1865, Mr. Reed said—

"In my opinion no sea-going turret-ship of moderate dimensions and a high speed can be satisfactorily built, if an attempt be made to approach to an all round fire.

Again, in answer to another question, Mr. Reed said—

"But it is necessary to point out that there are great difficulties in the way, and that this vessel (Captain Coles' one turret-ship) is an embodiment of the strongest objections which have been taken by myself and others to the practicability of constructing satisfactorily sea-going turret-ships."

Was it fair, then, to couple Captain Coles and Mr. Reed together in the work of bringing out a vessel which was to test the practicability and value of the turret principle? He held in his hand a letter addressed to a gentleman by Mr. Watts, who had great experience as a constructor in the navy, and whose opinion was entitled to great weight, and in that letter Mr. Watts stated—

"I have carefully examined your design for a two-turret vessel, and I am of opinion that it fulfils, under moderate dimensions, all the reasonable requirements of vessels of this description. The protection afforded against an enemy's shot is as great, or even greater, than in any vessel yet built. The fire throughout the entire circle is secured, and the height of the upper deck above water is, I am of opinion, sufficient to render the vessel safe and a comfortable sea-boat."

That letter was important, inasmuch as Mr. Watts stated that all round fire could be obtained in a vessel of moderate dimensions. The opinion of Mr. Watts was confirmed by naval officers of great eminence to the effect that a turret-ship of much smaller dimensions than the noble Secretary to the Admiralty designed to build could be constructed as a most efficient sea-going vessel. They contended that a smaller vessel had various advantages over a larger one; that it was more handy, and presented less target to the enemy, while they admitted that a larger vessel could, though more heavily plated, obtain the same speed. What he maintained was, that while the Admiralty built their ship, the *Monarch*, Captain Coles should be allowed to design a vessel in accordance with his own ideas, and that the vessel should be built in some private yard, untrammelled by the Admiralty. Then there would be an opportunity of comparing these two classes of vessel with one another. The noble Lord had expressed an objection to the vessel planned by the hon. Member for Tavistock (Mr. Samuda), on the ground that it had not free-board enough; that the hon. Member only proposed to give a free-board of 11 feet, while the *Monarch* was to have a free-board of 14 feet. He had endeavoured to get some information on this point, and he thought that the Peninsular and Oriental Steam Navigation Company provided for the accommodation of their passengers in quite as sufficient a manner and quite as well as the noble Lord need provide for the seamen of the navy. Of the ships belonging to that company he found that the *Pera*, with a length of 303 feet, had a height out of water of 11 feet. The *Golconda*, with a length of 295 feet, had a similar height of 11 feet. The *Delhi*, the *Baroda*, the *Tanjore*, and the *Poonah* had the same proportions, and the *Mooltan*, with a length of 335 feet, was the only one of these seven vessels which had a height above water of 12 feet. Therefore, the hon. Member for Tavistock was justified in thinking that a free-board of 11 feet was quite sufficient. [Mr. SAMUDA said, that his ship was to have had a free-board of 9 feet only.] At all events, it seemed clear that less free-board than 14 feet was sufficient. He repeated that by coupling Mr. Reed with Captain Coles the experiment with regard to the turret principle would not be deemed by the country likely to have a fair trial. He confessed that he had not very great confidence in Mr. Reed's capability. During the last Session the noble Lord the Secretary to the Admiralty stated—

> "Now, I ask the House to consider what took place last year (1864). We (the Admiralty) heard of an eminent shipbuilder, a gentleman who had distinguished himself in drawing the lines of ships, a very scientific man. He was wholly unconnected with the Government service, but believing him to be a person who was thoroughly competent, we brought him from the private trade into the service of the country. That gentleman was Mr. Reed. Hon. Members will recollect to what an outcry his appointment gave rise to. I am very glad that we made that appointment, because Mr. Reed has performed his duties most satisfactorily."—[3 *Hansard*, clxxx. 384.]

Mr. Seely

He wanted to know whether Mr. Reed had ever been a shipbuilder before he was engaged by the Admiralty—"the eminent shipbuilder" as he was described." [Lord C. PAGET: Ship designer.] The words used were the Admiralty "heard of an eminent shipbuilder who had distinguished himself in drawing the lines of ships." The noble Lord should be extremely accurate in such matters. What private trade was Mr. Reed engaged in? What was his experience? It was well known that Mr. Reed was originally in the dockyard; he left the dockyard, and became sub-editor of the *Mechanics' Magazine*, and then he became the Constructor of the Navy. Beyond all doubt Mr. Reed was a man of general ability; but they were discussing not his general ability, but his ability as a ship designer—not his power as a writer to persuade men that he is clever, but whether he can build ships. Upon that point he confessed he had his doubts. Mr. Reed, as far as he understood, and he hoped the noble Lord would correct him if he was wrong, came before the Admiralty with certain new notions or ideas; and his first idea was to construct a vessel with a wooden bottom and iron topsides. This was carried out in the *Enterprise*. Mr. Reed affirmed on the 26th of March, 1863, in a lecture at the Institute of Naval Architects—

> "That the smallest turret-ship, carrying but a single turret, if wholly armour-plated and made seaworthy, must be considerably larger than the *Enterprise*."

Now, he would compare the *Enterprise*, built by Mr. Reed, with the *Minerva* turret, built by Messrs. Laird at Birkenhead. The length of the *Enterprise* was 180 feet; of the *Minerva* 180 feet; breadth of the *Enterprise*, 36 feet; *Minerva*, 35 feet; draught of water of *Enterprise*, 15 feet 6 inches; *Minerva*, 8 feet; tonnage of *Enterprise*, 993; *Minerva*, 1,000; horse-power of *Enterprise*, 160; *Minerva*, 140; speed in knots, *Enterprise*, 9·94; *Minerva* 10·5; broadside of *Enterprise*, 220 lb.; *Minerva*, 300 lb. They were both plated with 4½-inch iron in midships and tapered off towards the ends. *The Times* of the 20th of February, 1866, said—

> "The *Minerva*, the first of the iron-clads ordered in Europe for this war, arrived in Rio on the 12th from Liverpool in thirty days."

Mr. Reed, at the Institute of Naval Architects, on the 26th of March, 1863, with reference to iron-cased ships of war said—

> "The *Enterprise*, *Research*, and *Favourite*, certainly represent my ideas, in so far as I could give scope to them under the peculiar circumstances of their construction, and I am perfectly willing to be judged by a comparison of those vessels with others of like size."

He (Mr. Seely) would then compare the *Research* with the turret-ship *Huascar*, which was as near her size as possible, built by Mr. Laird at Liverpool for the Turkish Government, and which had proved a far superior vessel to the *Research*—*Research*, length 198 feet, *Huascar* 200 feet; *Research*, breadth, 38 feet, *Huascar*, 35 feet; *Research*, draught of water, 15 feet 3 inches, *Huascar* 16 feet; *Research*, tonnage, 1,253, *Huascar*, 1,100; *Research*, horse-power, 200, *Huascar*, 300; *Research*, speed in knots, 10·35, *Huascar*, 12·27; *Research*, broadside, 220 lb., *Huascar*, 600 lb. The *Liverpool Albion* of the 29th of January said, referring to the *Huascar*—

> "This vessel, after being completed for sea, left here for Holyhead on the 17th of January, 1866, encountered very severe weather on the passage, but proved herself an excellent sea-boat, very buoyant, and rolled easily, even when placed broadside to a heavy sea in the race off Holyhead. She left Holyhead for Brest on the 20th instant, experiencing severe south-west gales in the Channel, but fully maintained her character as a good sea-going ship, and arrived off Ushant on the 22nd instant, and anchored safely at Brest on the following morning. The *Huascar* had her guns on board —namely, two 40-pounders (broadside guns), equivalent to a broadside of 680 lb. She had also her full complement of shot and shell, and stores and provisions for some months on board, in addition to about 100 tons more coal than she intended to carry for ordinary service. The trial, therefore, of the *Huascar* during the late severe weather we have had in the Channel, and when loaded unusually deep, is most satisfactory, and proves that armour-clad ships of even small size can be built on Captain Cowper Coles' turret principle, to combine speed and sea-going qualities of the first order, carrying at the same time a much heavier and more effective armament than vessels of similar tonnage of any other construction."

Mr. Reed's second idea was plough bows. He knew it was irregular to refer to a past debate of the present Session, but he believed the noble Lord had asked, "Will any gentleman show me a ship of her tonnage that goes as fast as the *Pallas*," which had been built for speed? Now, he would compare the *Pallas* with the *Newcastle*, designed many years ago by Mr. Watts. The *Newcastle*, a wooden ship, was a much faster ship than the *Pallas*. [Lord Clarence Paget: But she was an old sailing frigate.] That makes it so much the worse. If the *Pallas* was outstripped by an old sailing vessel, so much the worse for Mr. Reed's ship. The following were the figures:—*Pallas*, length, 225 feet; *Newcastle*, 250 feet; *Pallas*, breadth, 50 feet; *Newcastle*, 52 feet; *Pallas*, draught, 24 feet 6 inches; *Newcastle*, 20 feet; *Pallas*, tonnage, 2,372; *Newcastle*, 3,027; *Pallas*, horse-power, 600; *Newcastle*, 600; *Pallas*, indicated power, 3,518; *Newcastle*, 2,453; *Pallas*, speed, 12,627; *Newcastle*, 13·28; *Pallas*, broadside, 520 lb.; *Newcastle*, 1,700 lb.; *Pallas*, displacement on trial about 2,860; *Newcastle*, 2,665. Mr. Reed's third idea was to build a much shorter ship than the *Warrior* and make her equally fast. He said at the Institute of Naval Architects in March, 1864—

> "I freely stake my reputation, such as it may be, and all my anticipations of every kind, upon the fact that the *Bellerophon* cannot fail to steam over 14 knots."

Now, the average speed of the *Bellerophon* was 13·6 an hour, and this was obtained at her light draught of water without armament, stores, provisions, or coals on board. The average speed of the *Warrior*, with six months provisions and stores, was 14·356; nearly three-fourths of a knot faster than the *Bellerophon*. The length of the *Bellerophon* was 300 feet, and of the *Warrior* 380 feet; the tonnage of the *Bellerophon* was 4,270, and of the *Warrior* 6,039; the indicated horse-power of the *Bellerophon* was 4,707, and of the *Warrior* 5,469; the speed in knots of the *Bellerophon* was 13·645; and of the *Warrior* 14·356; the displacement on trial of the *Bellerophon* was about 5,630, and of the *Warrior*, 8,852. The fourth idea of Mr. Reed was improved *Alabamas*. In his lecture at Greenwich, in November, 1863, Mr. Reed said—

> "I state with the utmost absolute fearlessness and confidence that the Admiralty are now building a corvette from which neither the *Alabama* nor *Florida* could hope to escape."

Now, he (Mr. Seely) would compare the *Amazon*—which the noble Lord was of opinion was the fastest of her class—built by Mr. Reed with the *Flying Fish* by Mr. Watts—built many years ago, and a much faster vessel. The *Amazon's* length was 187 feet, that of the *Flying Fish* 200 feet; the *Amazon's* breadth was 36 feet, that of the *Flying Fish* 30 feet 4½ inches; the *Amazon's* draught was 16 feet 6 inches, that of the *Flying Fish* 13 feet; the *Amazon's* indicated horse-power was 1,660; that of the *Flying Fish*, 1,345; the *Amazon's* tonnage was 1,081; that of the *Flying Fish*, 950; the *Amazon's* speed was 12·171, that of the *Flying Fish* 12·725. In the case of the *Amazon* everything movable was taken out of the forepart. She was ballasted aft to lighten the bow and bring stern down to give more force to the screw. Eight of these vessels of the *Amazon* class had been laid down; of these, two were already being altered—one, the *Danae,* was undergoing no small alteration, for her bow was being taken down to her floor timbers. He mentioned these things for the purpose of showing that it was hardly fair to Captain Coles to couple him with Mr. Reed, considering the strong prejudice he had shown against the turret principle and the failures which had taken place in his own ships. He was exceedingly glad to hear that Captain Coles had been reinstated. He did not concur in the remarks that had been made about that gallant gentleman—such as that he had been intemperate in his language, and had said that which he had no right to say. Captain Coles was then on full pay, and it was said that he had improperly brought his invention before the public. In order that he might be at liberty to press forward his invention he applied to be placed upon half-pay, and his desire was acceded to. It was extremely harsh of the Admiralty afterwards to dismiss him, considering all that had passed. Even had he been a little intemperate in his language, and had said a few words more than were justifiable, his previous services should not have been forgotten. When Captain Coles was at Sebastopol in 1854 he received the thanks of Lord Lyons for his gallant conduct, and he was honourably mentioned in that House. In the same year he first conceived the idea of the turret principle, suggested by the difficulty the fleet before Sebastopol laboured under—heavy ships drawing much water. He saw that small ships of light draught carrying the heaviest guns were required, and he then invented a gun-raft. Lord Lyons was so pleased with the idea that he communicated it to the Admiralty, who thought so much of it that they directed Captain Coles to come home in order to carry out his invention. But peace was proclaimed shortly after, and no more was heard of Captain Coles' invention. Captain Coles, however, never lost sight of the turret principle, and in 1859 he again and again pressed it upon the attention of the Admiralty, until at length the experiments were made on board the *Trusty.* Those experiments were successful, and to show the great interest they excited in the highest quarters he begged to read the following letter, written by the direction of the late Prince Consort:—

> "Osborne, Sept. 28, 1861.
>
> "My dear Captain Coles,—The Prince desires me to say that he had already seen Captain Powell's official report of the result of the experiments with your cupola gun, and his Royal Highness has desired me to write to you to congratulate you on the complete success which seems so far to have attended them when I received your letter, which I have now submitted to his Royal Highness. You are well aware of the interest which he has taken from the first in your proposed gun and shield, and need scarcely, therefore, any assurance of the gratification with which he has heard of its entire success. For, though Captain Powell reports that there is still room for some improvements in the details, yet this does not affect the principle, and his report concludes with saying that it appears to him the most important invention, both as regards the defensive and offensive capabilities of the cupola gun, that has ever come under his notice. Allow me to add my congratulation to those of his Royal Highness, and believe, &c., "C. GREY."

He had no doubt that if the late Prince Consort had lived the turret principle would have long ago been tried. In order that the system should be fairly tried Captain Coles should be permitted to design and build the vessel himself.

MR. FLEMING said, he was anxious that the few observations he had to make should not be regarded as emanating from a factious spirit. He wished to call attention to the present low scale of remunerating the artificers and labourers in the dockyards, which prevented the Government from getting the most efficient men. He thought it unworthy of this great country, spending, as it did, £10,000,000 annually upon our navy, that the Admiralty should hunt the kingdom through in order to obtain cheap labour, and that they should offer far less to their workpeople than was given in private yards. Was it just and was it politic that labourers in the dockyards should be kept down to starvation point by their wages being reduced to 13*s.* or 14*s.* per week? It was impossible to expect a fair day's work from men who were so miserably paid. Then, there was the case of the joiners—skilled artizans—men who had to serve a long apprenticeship and to purchase a costly set of tools before they could obtain work, who were also paid far less in Her Majesty's dockyards than were men of the same class in private yards. The caulkers and the shipwrights were also underpaid, and he hoped that Government would take the case of all the people engaged in the dockyards into consideration. He also wished to know why the wages of the artificers and labourers, amounting to £15,000, engaged in breaking up old ships, were not deducted from the proceeds of those ships. He would not, however, trouble the Committee with anything further upon that point, as it was his intention to refer to the matter again on some future occasion.

MR. P. WYKEHAM MARTIN (Rochester) said, he had brought forward this subject till he was tired. He also could bear testimony that the joiners in the dockyards were paid less than in private yards. Last year he was told that they were paid so much that any discontent that might be reported to him must be the result of an hallucination, and that they could not be tempted into private yards. When he was told this he could answer nothing; he was, in fact, completely floored. But he afterwards made inquiries; and he found that a great strike was going on, and that owing to the influence of the trades' unions no man in the Government yards dared go into private yards for any remuneration that might be offered. He had now the confirmation of the last speaker, who was a large employer of labour, that he could not get joiners for the price paid in Her Majesty's dockyards. The argument used against him last year, though successful, was hardly, as he thought, fair. The Committee should remember that the joiners in Her Majesty's dockyards had practically no redress for their grievances. They could not strike as men engaged in private dockyards could do if they felt aggrieved, and deputations to the Admiralty were productive of no result. He was one of a deputation that went last year to the Admiralty. They were asked point blank, did they understand the business better than the Admiralty? With all due and proper deference he thought they did. When the Admiralty made their periodical visits they asked the men whether they had any grievances. But it was a common remark that the Admiralty knew as much about dockyards as dockyards knew about the Admiralty. Having made numerous inquiries into the matter, he found that the men in the dockyards were paid less than in private yards; in addition to which they had to find their own tools. The consequence was that the Admiralty were not getting the pick of the men among the young hands. It was said that the dockyard men had four holidays in the year; but, if they were paid as in the private yards, they could afford to pay for their own holidays. He had no connection with dockyards. There were not fifty dockyard voters in Rochester; and he had more of their votes under a Conservative Government than under a Liberal Government. It had been said that the dockyard men would not remain if they were paid so much less than what they could earn in private yards; but there was always an objection to men in employment to go elsewhere, and one reason was the expense of removing themselves and families from Chatham and Portsmouth to such places as Newcastle and Sunderland. He reminded the House that when their services were not required labourers and artizans in the dockyards were just as liable to be discharged as men in private yards. He thought the whole matter ought to be referred to a Committee of Inquiry, because, although he knew very well that the noble Lord the Secretary of the Admiralty understood his business, and that when he went to the dockyards the men were called on to state their grievance, yet if they did so the matter was pretty sure to be handed over to some clerk in the office, who reported that everything was as it should be. He would say, let the Committee consist of one Member from each dockyard borough; let there be Admiralty officials, and let there also be a few Members connected with the shipbuilding trade of the country in private dockyards. Above all, and this was absolutely necessary, let the men of the dockyards who were called on to give evidence have a guarantee that no harm should reach them in consequence of their evidence.

MR. SERJEANT KINGLAKE said, he had been informed that the joiners in Her Majesty's dockyards received only 3*s.* 10*d.* a day, while 5*s.* and 6*s.* a day was paid in private yards. Why this difference? [The CHANCELLOR of the EXCHEQUER: Superannuation.] He was much obliged to the Chancellor of the Exchequer, and would take up the point presently, but he was not to be diverted from his point by the interruption. Was it true that the joiners in Her Majesty's dockyards were paid 3*s.* 10*d.* a day? And was that sufficient? Was it right? Was it right that while ship joiners received 5*s.* a day, in some cases 6*s.* a day, in private yards, the payment in the Government yards should be only 3*s.* 10*d.*? And was the difference made up by superannuation? Was it not true that scarcely one man in ten received the superannuation? And if so, what had superannuation to do with the other nine? If a diminution of expenses was requisite it ought to take place not amongst the mechanics, but amongst those who had much higher payments, and little or nothing to do. A saving should not be attempted in the wages of the artizan and the labouring class, who had to work hard from morning to night in order to gain a livelihood; at least not till it had been attempted in the case of those who with little work could much better afford lower payment. Besides the joiners, the case of the shipwrights ought to be taken into consideration. He should like to know whether it was true that when the iron-clads were first introduced 8*s.* a day was paid for labour to outsiders, and that a suggestion was made to the common shipwrights in the dockyards—who had worked hard in order to qualify themselves for the labour, and who, after so doing, had succeeded the first arrivals—that after a time they might perform the same labour as the men who received 8*s.* He had been told that these men now received only 4*s.* 6*d.*, though they were performing the duty efficiently. The noble Lord might answer the question or not. If he did, the answer would no doubt be what his (Mr. Serjeant Kinglake's) remarks suggested. If no answer was given the public would draw the inference that the noble Lord had no sufficient answer to give.

Mr. FERRAND said, that as the representative of a dockyard borough, he should be failing in his duty towards his constituents if he did not say a few words upon the subject before the Committee. The statement which he made last Session relative to the claims of the dockyard labourers had never been contradicted, and he believed that no more just claims had ever been submitted to the attention of the House. He hoped to be able to convince the Chancellor of the Exchequer that the matter was more serious than he imagined. It had been stated that the artificers and labourers ought to apply to the Admiralty, instead of submitting their claims to the consideration of the House, but they had been repeatedly refused by the Admiralty. During the last Session the claims of the officers of Customs were brought before the House, after having been repeatedly rejected by the Board, and the result was that the Chancellor of the Exchequer had taken the claims into consideration, and that the salaries of those officers had been increased. Unless the claims of the dockyards were taken into consideration before long, his impression was that the most serious injury would be inflicted upon them. The result of the present system was that the best men were leaving the Royal dockyards and entering private yards. The wages in the former were so low that the owners of the latter were able to draw away the best men. Those owners of private yards who denied that the artizans in Her Majesty's establishments had anything to complain of, could scarcely be regarded as impartial judges; because, while the men in the Royal dockyards were underpaid, they could, of course, secure the best workmen for their own services. He trusted the Chancellor of the Exchequer would take into consideration the proposition of the hon. Member for Rochester, and consent to the appointment of a fair and impartial Committee to inquire into the claims of the men, and if those claims should be substantiated, he did not believe that the right hon. Gentleman would throw any impediment in the way of a fair remuneration being afforded. When iron ships were first introduced into the Royal dockyards, men from the country were employed in the work. Those who bent armour-plates received 8*s.* per day, the platers from 6*s.* to 8*s.*, the rivetters 6*s.*, and the men in other branches 6*s.* These men struck for wages, and the men in the Royal yards prepared themselves for the work. The old yardsmen soon became equal to the new ones who had been introduced, but they were now receiving no more than 4*s.* 6*d.* a day, whilst the average wages in the private yards amounted to 6*s.* 6*d.* The wear and tear of clothing had increased from 30 to 40 per cent. The price of provisions had also considerably increased. House rent and taxes were higher. In many parts of England the police had received an increase of wages on account of the increased price of provisions, and the advance that had taken place in the rents and rates of dwelling-houses, and these things were worthy of consideration in dealing with the case of the dockyard workmen. Further, a considerable amount of sickness was produced by the foul air the men encountered while working at these vessels, and many of the clubs which formerly supported them had been broken up in consequence of the number of men thrown upon them. With regard to the superannuation which had been spoken of, not more than one man in ten ever received it, and then the period was so short between its being granted and his death, that not more than three men in 100 derived any great benefit from it. The constant employment agreement had been alluded to, and it was said that the men had four days' holiday. But they were quite willing to give that up, and all they wanted was a fair day's pay for a fair day's labour. With regard to the case of the joiners, the forcible statement of the hon. and learned Member for Rochester (Mr. Serjeant Kinglake) was fully borne out by the facts. In private establishments the average rate of wages was 6*s.* 2*d.*, whilst in the Royal dockyards it was only 3*s.* 10*d.* How, then, could good men be kept under those circumstances, especially as their superiors were so strict that if a man wasted five minutes it would be struck off his wages? In the Royal yards there was the strictest enforcement of labour, and the present superintendent at Devonport Dockyard did his duty so ably that as much labour was now performed in one year as formerly was obtained in two. That circumstance gave additional force to the claims of these men. The Chancellor of the Exchequer could not imagine that hon. Members brought forward this subject year after year unless they believed in the facts which they stated. He firmly believed that if the Committee were appointed it would be found that a good case could be made in support of the proposal to increase the wages of these men. The right hon. Gentleman had lately said that there were Departments of the public service in which the salaries had been raised, and he admitted that there might be others in which the question ought to undergo consideration. Now, he would ask the right hon. Gentleman if the claims of the dockyard workmen were undergoing consideration? They were a loyal body of men, devoted to their respective establishments, and the Government could not make a greater mistake than, year after year, refusing to take into consideration their claims, when they were merely asking for common justice.

SIR CHARLES BRIGHT said, he laboured under the disadvantage in taking part in the discussion of being the representative of a borough which had two dockyards in it. He thought it a disadvantage, because the grievances of the workmen had been so frequently brought forward on former occasions by Members representing dockyard towns, that he feared they would not be listened to with as much attention as the subject they treated of demanded. He thought that the hon. Member for Devonport (Mr. Ferrand) had made out a good case. He had been largely concerned in the employ of labour of various kinds, and he knew something of the scale of wages paid in contracts and engineering works outside the dockyards. There could be no doubt there was a great difference between the wages paid in the Royal dockyards and in the private yards, and the men in the Royal dockyards felt that they were unjustly treated. Within the last ten years the wages of the working classes generally had been increased in consequence of the augmentation that had taken place both in house rent and the means of living; but the wages in the Royal dockyards had not been proportionably raised. The reason urged for this was that the men in those yards were entitled to pensions. But these pensions ought to be treated according to their commercial value. The pension was a day's pay for every ten years' service. He would take the case of the joiners, for example, whose pay in the Royal dockyards was 3*s.* 10*d.* a day, whereas in private yards they received 6*s.* 2*d.*, making a difference of 2*s.* 4*d.* a day. Supposing a man having entered at twenty years of age had given forty years' service in the Royal dockyards, he would be entitled at sixty to £39 per annum pension. Now, under the recent excellent Act of the Chancellor of the Exchequer, if the man in the private yard invested £3 1*s.* 9*d.* for forty years, he would obtain the same amount of pension by way of annuity, and the residue of the difference of wages, if laid by for that forty years, would give him a sum of £1,456. But it was said, why did they not seek employment elsewhere? The young men did go elsewhere for employment, but the old men, who had spent many years in the dockyards, did not wish to forego that pension to which they naturally looked forward. He understood that the men were not to be had in the numbers in which they were required, and that the Government were obliged to send them about from yard to yard in steamers to execute the necessary works. He was prepared to admit that he could not suggest any remedy himself, but hoped one would be found if the proposed Select Committee were permitted to take the matter into consideration. There was one point which especially demanded their attention—that was the charge for supervision in the Navy

Estimates. At Deptford the charge for supervision was £10,647, whereas the charge for wages was only £47,879. The increase on the entire Estimates for supervision was £26,053, while the increase for wages was only £10,957; therefore, they were paying £26,000 more for superintending the payment of £10,000 more in wages. In the case of five out of the seven dockyards—namely, Deptford, Woolwich, Chatham, Sheerness, and Devonport, the increase of the salaried establishments or cost of supervision, was £17,145, whilst there was absolutely a decrease of wages to the extent of £4,382. This matter required explanation, and he hoped that the Secretary of the Admiralty would be able to afford it. He was told that at Woolwich dockyard there had been engaged upon one job 240 men and boys. To oversee these there were two foremen, four inspectors, twelve leading men, and two writers, who passed on the orders from one to the other, till at last they reached the working men. In any private establishment such a superintending force would be found very extravagant and useless. Some saving might possibly be effected under such heads as this which might be applied to a fair augmentation of the wages of the workmen, who had not had any increase since 1857. It was not a fitting occasion for going fully into the matter, but he hoped that the Admiralty would appoint a Commission to inquire into the rate of wages paid to the different classes of workmen, their superannuations, and position generally in comparison with workmen in private employ.

Captain VIVIAN said, that if these labourers thought themselves as unfairly treated as appeared from the statements to which he had just listened, it was strange that in his own part of the country he had more applications for employment in the dockyard as joiners than for anything else. But for the strong antipathy which he entertained to asking favours from any one, his noble Friend opposite would be in receipt of daily applications from him on that subject. A little while ago he had forwarded an application on behalf of two men, and the reply was, that owing to the number of other applications, it was impossible to comply with the request. He knew that the labourers set great value on the Superannuation Fund. This chronic annual grievance of the dockyard labourers showed itself in so virulent a form that it was worth while remarking the quarters from which it sprung. First of all they heard the two hon. Members from Devonport, where a dockyard existed; and then hon. Members for Rochester, where, though there was not positively a dockyard, yet the boundary line, as an hon. Member had told them, was so delicately marked that he threw up his hat for the dockyard. Greenwich, too, had been ably represented in the debate, and if its representative erred at all, it was rather on the side of elaborateness in his complaints. The hon. Member for Chatham (Mr. Otway) likewise advocated the dockyard view. [*Cries of* "No!" "Not yet!"] Well, at all events, the voice of Chatham was rarely wanting from these debates. It would be a pity that so much disinterested philantrophy should be wasted. He hoped, therefore, that the utterances of hon. Members would reach the ears of their constituents. The effect created upon his mind by these annual discussions was to strengthen his impression that dockyard labourers ought not to have votes. He was of opinion that both for the men themselves, for their own good, as well as for the interests of all other parties concerned, it would be a much better thing that the men in the dockyards should not have an opportunity of bringing their claims before the House in the way they now had, and of saying to candidates at Parliamentary elections as it was known they did, "We will vote for you if you bring our claims under the notice of the House of Commons."

Mr. CHILDERS said, he hoped he would not be intruding on the Committee if he said a few words on this subject. Not being at present at the Admiralty, but having had the honour of being connected with the Admiralty last year, and having taken part in the debate which occurred last Session on the question of wages in the dockyards, he felt it right to state some matters which had come within his own knowledge. In accordance with the promise given by the Government in the course of the debate to which he alluded he had felt it his duty in connection with other members of the Admiralty—and a good deal of the work fell upon him—to very closely investigate the question. Each of the dockyards was visited by the Board; and two or three members of the Board, seated round a table, received, without the presence of any of the dockyard officials, deputations, consisting generally of two or three men at a time, from the different classes of workmen. The men had received no previous intimation whatever from their officers of the questions which would be put to them; and he was bound to say that they answered the questions put to them on the subject of their wages with great intelligence and fairness. The Board went most narrowly into the question, heard their arguments, and the comparison between their wages and the wages paid in the private yards, and listened to what they had to say on the point of superannuation. In a few days after those examinations were concluded he left the Board of Admiralty, but he was bound to say for himself that he agreed with the decision of the Board. As the Board had to deal with as many as 15,000 men, there might be some inequalities as regarded a few men; but he had arrived at the conclusion that on the whole, considering the permanent nature of the employment, and the system of superannuation, the present rate of wages was sufficient. The rate of wages in the dockyards was now for "established men" £68 a year, and for "hired men" rather more than £45 a year. As to a Committee, he was bound to say that if they followed the recommendation of the hon. Member for Rochester (Mr. Martin), he thought they would not receive a very satisfactory report from such a Committee as he suggested. The hon. Gentleman said that the Members of the Government knew very little about the matter. But he (Mr. Martin) would have the Committee consist of Members of the present and the late Governments, of dockyard Members, and of one or two gentlemen with a special knowledge of the subject. Judging from the observations made by the dockyard Members in the course of the discussion, he did not think that with no one to help them, except the ignorant officials and the one or two specially informed shipbuilders, they would be likely to bring up a very impartial report. Let him go for a moment into the real question. The hon. Member for Devonport (Mr. Ferrand) said, in the first place, that the wages in the dockyards were insufficient, because a number of the men in those yards were leaving the public service. He denied that altogether. He distinctly stated it was not the fact. He asserted that up to the time when he left the Admiralty, which was only a short time ago, that was not a correct representation, and he had ascertained that since then the number of men leaving the dockyards was not even so large as before. Therefore, he believed anything which could be said upon that point would not tell in favour of such an inquiry as was suggested, but quite the other way. The dockyard men were not dissatisfied. At all events, they did not show it by leaving the dockyards. He would further illustrate this by the way in which the question of wages concerned a very large body of dockyard men. There were three classes of men employed in the yards. First, the "established men," who, in addition to their wages, were entitled to superannuation. There were next the "hired men," who, though they were not "established," might be said to be permanently employed in the yards at fixed rates of wages. The third class were the "factory men," who were only engaged from week to week. The wages of this last class were fixed by the engineers who had a discretion up to a certain maximum fixed by the Admiralty. Those factory men might, if they liked, take their discharge to-morrow. Their wages fluctuated, if necessary, with the wages of the market; but those wages had not been increased by the engineer, and simply because the engineer had not found it necessary to increase them. This fact was of more significance when taken in connection with the circumstance that in many cases the wages of those "factory men" had not reached the maximum which the engineer might have given them if he had thought it necessary to do so. Their wages had not been in any case increased for five years. The question of superannuation had also been raised in the discussion, and he must say that with respect to it some hon. Members appeared to him to labour under an extraordinary delusion. One hon. Gentleman (Mr. Ferrand) said that the number receiving superannuation was in the proportion of about three to every 100 in the total number of men. He had referred to the Estimates, which he believed to contain perfectly correct information on the point, and in the Estimates he found that the number of "established men" entitled to superannuation was 9,600, and the number of artificers actually in the receipt of superannuation 3,000. There could be no question as to the value of superannuation to a body of men; and it was to be measured by a very much higher standard than that which the hon. Member for Devonport (Mr. Ferrand) had applied to it. And did hon. Members think that the prospect of permanent employment was worth nothing? Hon. Members kept harping on the 6*s*. paid in the private yards as compared with the 4*s*. 6*d*. paid in the dockyards. But did they really think that the 1*s*. 6*d*. or 2*s*. was the real difference between the advantages in the respective employments? He could assure the Committee that in reply to questions put to them the intelligent workmen themselves stated that they put a very considerable value on the prospect of permanent employment. When asked as to the comparative advantages of the dockyards and the private yards in respect of the element of permanency those men did not hesitate to admit that their advantages were enormous, and when asked why if they thought their wages inadequate they did not leave, they at once attributed their remaining to the certainty of permanent employment. Let one inquire from a private builder to what interruptions in their wages his men are liable and he will at once see the force of this. The Committee must allow, therefore, for that very considerable advantage, in addition to the advantages of superannuation, which superannuation was given not only in old age, but in cases of permanent disability when the other requisites of superannuation had been complied with. An hon. Gentleman (Sir Charles Bright) had said, "You never raise the wages in the dockyards." It was perfectly true that they had not been raised recently. But they had been raised twice in the last twenty years, and those increases were, he would undertake to say, quite equal to the rise in wages which had taken place in private yards from the Crimean War up to the present time. Besides that, the agitation which took place on the subject of superannuation should not be forgotten. The superannuation before 1859 was very trifling, and it was thought necessary to increase it and to put the dockyard men on the same footing in that respect as the other servants of the Crown. That was considered at the time a great boon, for it practically doubled their retiring allowance. The facts with regard to pay and superannuation which he had mentioned, the fact that the men were not leaving the service, that there was not the least difficulty in getting hands —as every Member of Parliament must know, for they were overwhelmed with applications to get into the dockyards—and especially the fact that the factory men's wages, which were regulated by the engineer, did not require to be increased—all these things justified the Government in the course they had taken. All these things required the Government not to yield to the requests which hon. Members for the dockyards made—no doubt with perfect honesty, but in reliance on the representations made to them by their constituents—and not to do that which would have the effect of adding £100,000 a year to the Estimates. He hoped, then, he should be pardoned if he said that these debates, year after year, were not founded upon the real facts of the case. They were told every year that men were leaving, and that the attractions of the dockyards had ceased; and yet every year they knew that the men were not leaving, and that the attractions of the dockyards were not only as great, but much greater than before. That being so, the time had come, he thought, when hon. Members might be appealed to fairly to leave these things in the hands of the Government, and not on the one hand to protest against undiminished Estimates, while on the other they cried out for increased and unnecessary expenditure.

Mr. SAMUDA said, that the cases of the dockyard men and of those in private yards were totally different. The dockyard men had, first of all, a very great advantage in having permanent employment, and they valued it exceedingly high. In the next place, they had something in the shape of superannuation. Then there was another important circumstance, and that was that whether it was wet or fine the dockyard man received his wages. That was not the case in private yards. When the day was wet the workmen had to stand off the slips, and then they got no wages. Then there was another considerable difference. The general system adopted in the dockyards was to pay by the day, and the men worked in the ordinary way to earn a day's wages. But in private yards the wages which they had heard so much of were given as a general rule for piece work, in which a man made much greater exertion in order to get a greater amount. The general effect of all that was that the men, knowing the advantages on the one side and the other, did not leave the dockyards, and that private builders could not get them. As to the alleged rise in articles of consumption, having been in business thirty years, he believed that his men purchased everything cheaper now than they did then, and he knew that their wages had been increased 25 per cent. Provisions had very little or nothing to do with the question; it was rather a question of whether one man or two men were required. The best friends of the workman were not those who put his case most strongly, for they had probably been misled, but those who put it fairly.

Mr. Serjeant GASELEE said, it was unnecessary to defend the representatives of the dockyard towns for having taken up the cause of their constituents. It was all very well for the hon. and gallant Member for Truro (Captain Vivian), who had scarcely heard a word of the debate, to rush into the House, let off his speech, and then rush out again, after crying down the claims of the dockyard workmen. If the hon. Member had so many applications for joiners, that only proved that the men were very badly paid in Cornwall. The hon. Gentleman had thrown out a taunt about disfranchising the dockyards, thus adding insult to injury. But he might have waited to see what Monday would bring forth. He could say that he had found the artificers of the dockyards a most independent class of men. The real fact was, that hon. Members for dockyard boroughs, on both sides of the House, had taken up the case of the workmen because they had evidence that they were not treated as they deserved, and because every class of labourers in the yards had come forward with complaints. It had been said that the men ought to bring their complaints before the Lords of the Admiralty. He considered it absurd to expect poor labouring men to wait on the Lords of the Admiralty with complaints. For his own part, he never looked forward to an interview with the Lords of the Admiralty without fear and trembling. And in addition to that, the Lords of the Admiralty when in Portsmouth were always in such a hurry that it was impossible to obtain an interview with them. The argument against raising the salaries of the men appeared to be that their present pay was sufficient. It was said that these men received wages equivalent to what they would get in private yards, but it was shown by calculations that the superannuation was worth 3½*d.* a day, and that the holidays were only four. The permanent employment might be worth something, but the Admiralty had the further hold upon the men that thay had wives and children and could not therefore leave their homes in search of other employment; but because they had got them tied by the leg, was it fair, was it generous, to take advantage of them? That they got a man for what they could was an argument which would apply to all officers of State, and he saw a great many men who were paid much more than they were worth. The question in this case was whether the men were fairly paid, and the best proof that that was not the case was to be found in the fact that every single class was dissatisfied. They could vote money fast enough for particular persons, but when a claim of justice was brought forward it was met with the cry of economy. In addition to being underpaid, the dockyard labourers suffered from a grievance which, in the case of persons of a similar class in life, had been several times brought before the House that Session—namely, they were being deprived of their houses, which the Government officials were pulling down to make way for increased dockyard accommodation.

Mr. MONK said, he must protest against the opinion expressed by the hon. and gallant Member for Truro (Captain Vivian), that the dockyard labourers should be deprived of the electoral franchise. A perfect remedy against intimidation and against Government control or influence in the dockyards was to be found in the ballot, which might be tried in that case, though it might not be adopted for the whole kingdom. At all events, he trusted that they would not hear anything more of disfranchising the dockyard labourers at the very moment when the Government was about to propose an extension of the franchise.

The CHANCELLOR of the EXCHEQUER: Sir, it does not appear to me that any argument has been used during this debate which might induce Government to accede to the proposal for a Committee of Inquiry. The hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee) who has discharged his duty on this occasion with great ingenuity and ability, and with a good humour worthy of imitation, objects to the remarks of the hon. and gallant Member for Truro (Captain Vivian). Now, the hon. and gallant Member for Truro is not a Member of the Administration, and in making the remarks he has made this evening he could only be influenced by public feeling and spirit. The hon. and learned Gentleman complains that the hon. and gallant Member for Truro did not remain to hear the arguments in answer to his speech. Now, what was the argument of the hon. and learned Gentleman? Why, simply, that the places in the dockyard were filled because the people of the surrounding county were poor. If this be true, and I do not mean to insinuate that it is not true, I ask, why are not the Government, in common with all other employers, to obtain the benefit of it? The hon. and learned Gentleman says, "Let us not bear down the poor, but let us let fly at the rich." I am delighted that the hon. and learned Member has come into the House of Commons with a determination to attend the Committee of Supply through all the Civil Service Estimates, and to propose to cut down the salaries of all who are above the labouring class. The hon. and learned Member has laid claim to being an economist, but says the economy is in the wrong place, that when we come to the salaries of Ministers and official persons he will see what he can do, and no doubt he will be found through the long weeks of Committee doing himself honour in the character of a defender of the people. But we who sit on the Treasury Bench are the most defenceless of creatures, and if the hon. and learned Member is dissatisfied with us he, along with others, has the power to turn us out. But, says the hon. and learned Member, they never get turned out. From certain experience I know that not to be the case, for although I have sat four or five times on this Bench in the course of my life, four or five times I have been driven from it. Falling short of executing capital punishment upon the Government, the hon. and learned Member adopts the milder course of letting fly at the great extravagance of Ministers and other public men. I cannot agree with my hon. and learned Friend when he says, "Let us be generous." I deny that it is the business of this House or of any other body administering funds which belong to others to be generous. Our business is to be just, and not to be generous. We are arbitrators between parties, and we can only indulge our feelings of generosity by a departure from the claims of justice. Generosity to one party in such a case becomes robbery of the other. How does the hon. and learned Gentleman answer the observations made by the Secretary of the Treasury (Mr. Childers)? But it is said it would be impossible for these men to state their case to the Admiralty, because when before the Admiralty they would be subject to intimidation. If that be true as regards the dockyard men and the Board of Admiralty, it would be equally true of the workmen at Woolwich and the War Department; it would be equally true of the men employed in the Post Office and the Postmaster General; it would be equally true of the men employed in the Inland Revenue Department and the authorities of Somerset House; in fact, the same thing would hold good of all branches of the public service. Now, I take the statement of the hon. and learned Gentleman, ingenious as it is, and I ask what it comes to? Why, to this: that owing to intimidation, or to what you like to call it, it is not in the power of the executive Government, and they are not the proper persons, to determine what wages should be given to these workmen, but that that duty should be left to Members of the House of Commons and its Committees. That is a very formidable doctrine. I want to know for what function the executive Government is fit if it be not that of regulating the scale of wages which shall be paid to the public servants? The hon. and learned Gentleman, according to that principle, has found a shorter road to economy than he may have thought of, because if it is not fitting that the executive Government should determine what shall be the wages of the men engaged in the dockyard, surely it is not necessary for him to inquire whether the salaries paid to the Board of Admiralty are too high or too low, but whether they ought to be paid any salaries at all, seeing that Members of this House are better qualified to discharge those duties. I say that if there be one function more than another which this House should delegate to the executive Government, it is precisely this. But the hon. and learned Gentleman said that these workmen are unjustly treated in comparison with the persons occupied in private shipbuilding yards, and that, too, after hearing the statement of the hon. Member for Tavistock (Mr. Samuda). The hon. and learned Gentleman did not attempt to answer that hon. Member's statement except by saying that an hon. Gentleman opposite (Mr. Fleming) who is connected with a private shipbuilding yard is of a different opinion. Now, I have no doubt that both of those two hon. Members are men of equal character and experience. Here, then, we have two authorities connected with private shipbuilding yards who come forward and give different opinions, one of them (Mr. Fleming) being the representative of a dockyard borough (Devonport), and the other (Mr. Samuda) not being the representative of such a borough, and having no conceivable motive that we know of calculated to bias his judgment on this subject.

But the hon. and learned Member for Portsmouth rejects the evidence of the witness who is totally unprejudiced. [MR. FERRAND: No, no; the private yard.] What motive can the fact of a connection with a private shipbuilding yard supply for wishing to keep down the wages in a Government dockyard? But the hon. and learned Member himself also quoted the evidence of a gentleman connected with a private yard. In fact, the rule which we are to have laid down to us appears to be this—that the representation of a dockyard borough is necessary in order to qualify a man to speak as a competent witness on this question. Who are the advocates of this proposal but the Members for a dockyard constituency, and those who bear a kind of cousinship or near relationship towards them? That is the claim which is put forward. But then it is said it is impossible that all classes of workmen in the dockyards should be dissatisfied unless they had real and just cause for being so. It is perhaps difficult to suggest or explain them all, but still there may be other reasons which have led to that dissatisfaction. At any rate I will say this, and I think it will scarcely be questioned by any one, that the servants of the public in general, in common with the servants of every other class of employers, are much better treated now than they were thirty or forty years ago. I believe there is no doubt at all about that fact. And yet if we go back some thirty or forty years ago we shall find, I think, that the servants of private employers then were more discontented than they are now, while the servants of the Government were then contented. At any rate, you will not find any records of their discontent in the debates of this House. And why is that? That question is open to this answer—that when any body of public servants find educated and intelligent men who are ready to tell them that they are ill used, and who are also ready to go before Parliament and argue that they are ill used, in fulfilment of their duty to local constituencies, it is no wonder that the workmen in the dockyards should believe that which is told them by their representatives. I repeat that undoubtedly the servants of the public, like the servants of other employers, are, at any rate, much better treated now than they were thirty or forty years ago, and in conjunction with that I find that there is a machinery annually put in motion to place their case before the House of Commons now which was not the fact then. Be that, however, as it may, at all events it is the duty of the Government on a question of this kind to take its course decisively. On our part, at any rate, there is neither true humanity, generosity, nor mercy in allowing these workmen to be deluded. It would be the greatest of cruelty towards them for us to encourage them in the indulgence of false hopes. It is our duty to listen, and to listen respectfully, to all that falls from Members of this House; and although there may be some occasional inconvenience arising from it, I am glad that the fullest opportunity is given—and I would not wish for a moment to narrow it—for the free discussion of every subject in Committee of Supply. It is in the power of hon. Gentlemen to take precisely what course they may please; but certainly we are not as free as they are. It is our duty to examine carefully, impartially, and with the best knowledge we can obtain, into the case of these men, with a view to the redress of any real grievances, but it is also our bounden duty to say firmly and decisively that we will not, while we continue to enjoy the confidence of this House, intrust to Committees of the House, or to any other tribunal, our function of determining what are the wages which should be paid to the workmen in Her Majesty's dockyards.

MR. OTWAY said, that his chief object in rising was to move that the Chairman should report Progress, and ask for leave to sit again, although in the absence of the Speaker from the House, he did not know how it would be managed. The hour was too late (a quarter to twelve) for them to take that very important vote that night. The Secretary to the Treasury (Mr. Childers) had held out some hope of action on the part of the executive Government in that matter, which was, however, dispelled the moment the right hon. Gentleman the Chancellor of the Exchequer refused to allow any inquiry to take place. If a Committee were granted the justice of the case of these men could, he believed, be proved with the greatest facility. He begged to move that the Chairman report Progress.

MR. FLEMING said, he thought it was the duty of a great country like this to secure good labour, and when it obtained it to keep it. It might be true that poor men from Cornwall would be glad to enter Her Majesty's service in the dockyards with the view of getting a little higher wages to save them from destitution; but the question was—Would good workmen care to remain long in that service? They should be so remunerated as to have an inducement to remain there. He quite agreed that in administering public funds it was their duty not to be generous; but there was a principle to be observed in these matters, which was quite as high as generosity, and that principle was justice. They had labourers in the dockyards who were receiving 13*s*. and 14*s*. a week; and he appealed to any employer of labour whether they could expect such men to give the country the proper amount and kind of labour for such remuneration as that. In a private yard a joiner received 6*s*. a day, and was not entitled to superannuation, but had constant employment, because there was great demand for labour. In the public yards the wages of a joiner were 3*s*. 10*d*. a day, with a distant prospect of a superannuation; but the value of that was not equal to the difference between the wages of the public and the private yard. For able-bodied labourers 13*s*. or 14*s*. a week was insufficient remuneration, and it would be better to give the labourer wages on which he could live than to drive him to work overtime. Some worked even all night to earn more money —some kept lodgers, and resorted to other means of increasing their income. After working overtime, men did not give that amount of physical labour which the country was entitled to expect from them. He hoped the Committee would see the justice of the demands made on behalf of the dockyard labourers. Who else was to be the judge of the rate at which labour should be paid? If the Board of Admiralty were of a more permanent character, instead of being a fluctuating body, perhaps it might itself deal satisfactorily with these matters.

Sir MORTON PETO said, that as one largely concerned in the employment of labour, he deemed the subject under discussion unworthy the attention of the Committee, and the discussion itself out of place and calculated to do serious mischief. If the workmen were so badly paid in the Government dockyards, why did they not go to the private yards? If they considered superannuation and allowances worth so little, why did they remain? No doubt the work in the Government yards was admirably done; the only fault was that enough was not done. When hon. Members associated with Government dockyards advocated an advance of wages, they assumed a position inconsistent with their dignity and independence. The wages in the private yards were nominally higher than they were in the Government yards, but in the latter the men had perpetuity of employment, whether there was little or much to do, and were sure of their places. ["No, no!"] His hon. and learned Friend (Mr. Serjeant Gaselee) said it was not so; but he would tell his hon. and learned Friend that the work done in the Government dockyards was not equivalent to the wages paid. I wish to convey to the Committee the profound impression I have that this kind of discussion affecting wages is calculated to do great injury, and is not worth the attention of the Committee.

Mr. AYRTON said, he would like to ask a question on a matter which had not been adverted to in this *chiaroscura* debate, and it is why, when the expenditure for labour at the dockyards was decreasing, the total increase for wages amounting only to £4,000, the salaries for superintendents were increasing, the increase this year being £17,000. This increase was remarkable, and required explanation. He had never before heard it seriously proposed to discard the Constitution of the country so far as to refer the administration of the dockyards to a Committee of the House. The proposition was so extraordinary that he wondered any one could have suggested it, and he could only account for its being made by the fact that there were many new Members in the House. The duty of the House was to examine the demands of the Crown for public money, and to see that they were not excessive, but instead of checking they had been proposing to increase the supply, which was exactly what they were not entitled to do. Curiously enough, hon. Members seemed to glory in being considered representatives of dockyards, although hitherto hon. Members had been so designated only in reproach, but he hoped they would not continue to accept the designation, and that they would represent places and taxpayers rather than dockyards and tax receivers, who, on principle, were disqualified to vote for Members of Parliament. That the dockyard men should be voters was an excrescence which had crept in upon the constitutional system. They were originally employed from week to week, and thus, not being deemed to be in the public service, were allowed to exercise the franchise, but now that their position was permanent it was doubtful whether they should be entitled to vote at Parliamentary elections. The inconvenience of departing from the constitutional practice was seen in the claims that were every year being most improperly urged upon the House in their behalf. The Chancellor of the Exchequer exhibited a wise firmness in saying the Government would not allow a Committee to investigate the wages paid to the servants of the Government.

MR. MOFFATT said, he wished to ask the Secretary of the Admiralty how it was that on the naval station at Hong Kong the salaries were £5,000, and the wages £5,000 a year? There were there thirty-five ships, many of them scarcely seaworthy. From the proportion of wages to the total Vote it appeared that a little economy might be applied. He should like to know whether the thirty-five ships in harbour or afloat in the China seas were really seaworthy, or whether they were kept there as a formality, and officers employed to little purpose?

LORD CLARENCE PAGET said, in reply to the hon. Member for the Tower Hamlets (Mr. Ayrton), that the Vote for superintendence was nearly the same as last year, and that it was owing to the new method that had been adopted in arranging the Votes that the charge under that head appeared excessive. For example, the whole of the cost of the superintendence of the dockyards had been transferred from Vote No. 1, with the view of plainly showing what was the real expenditure for such service. The charges of £9,000 for gas and £3,000 for writers had also been transferred for a similar purpose. Next year this charge would bear comparison with the Votes of previous years. Respecting the vessels at Hong Kong, his hon. Friend (Mr. Moffatt) would remember that at the time of the Chinese War a large number of gunboats were sent out; and on its termination, as a considerable expense would have been entailed by the voyage home, it was resolved that a certain number should be retained at Hong Kong, and there used for the suppression of piracy and for whatever purpose they were most suitable. As they became rotten they were broken up.

MR. OTWAY said, that in the course of the discussion many statements had been made which were calculated to mislead the Committee. He was not aware that hon. Gentlemen had called themselves "dockyard Members," but he remembered the time when the greatest reproach that could be cast upon any one in that House was to say that he was a metropolitan Member, and especially a Member for the Tower Hamlets. He knew that the metropolitan Representatives had done much to retrieve their fame at the late election, but he was not aware that there were any new Members for the Tower Hamlets. A very unfair attack had been made upon the Constructor of the Navy (Mr. Reed), and it had been asked why the Government did not employ private builders? But the private shipbuilders of the country had been too highly extolled; for it ought to be remembered that the *Wyvern* and the *Scorpion*, though built by a gentleman of great reputation, had turned out two of the greatest failures ever known. He desired to be informed what amount of money had been spent by the Admiralty in rendering those vessels fit for service, believing this a subject which should be fully explained to the Committee. With regard to the Government dockyards in the town he represented (Chatham), he held that the Admiralty were guilty of a breach of contract towards the men engaged in them. When they first entered those yards none but wooden vessels were built; but now that the iron ones were being constructed the men had been under the necessity of purchasing new and costly tools, their clothes were more rapidly worn out, while their eyes in many instances were seriously injured by the iron. He knew workmen who had totally lost their eyesight through working on the iron ships. It was said that when so injured they got pensions; but this was no adequate compensation. Another thing was that there was no oculist in Chatham, and the injured men had to incur the expense of going to Maidstone when injured in the eyes for medical assistance. These matters, he contended, required consideration at the hands of the Government. He also thought it an extraordinary circumstance that no surgeon was provided in the dockyards. It ought to be the object of the Government to get the best men to do their work, but they could not expect to do so if they refused to pay the men a fair day's wages for a fair day's work. It had been asked why the workmen, if they were discontented, did not seek employment elsewhere? but such a question was unreasonable. It could not be expected, after they had been in the service of the Government a number of years, had made some progress towards the time when they would be superannuated, and had established themselves in a place with their wives and families, that they would be very anxious to forego their claims upon the Government and travel in search of employment in the other dockyards of the country. He might mention that at the meeting of the fleets there was no ship which excited so much attention as the *Achilles*, and this showed that the men at Chatham who built her were good workmen, whom the Government ought to endeavour to keep in their employ, and to keep them contented by giving them sufficient wages. He thought that it was really a national object to retain the services of the really excellent workmen who were now in the public yards, but who would be attracted from them if the present disparity between the rate of wages that they were receiving and that were paid in private establishments continued. He entirely concurred with the Chancellor of the Exchequer and with the hon. Member for the Tower Hamlets (Mr. Ayrton)—who had spoken in somewhat a cynical style with regard to the constitutional question at issue—that it was not his duty, or that of those who concurred with him in opinion, to fix the amount of wages which the artizans in our dockyards should receive. That, however, was not the proposal for which he contended. He simply said that he thought those men ill-used as things at present stood, leaving it to the Government to say in what mode justice should be dealt out to them. As to any objections raised on the score of economy to his view of the case, he would simply observe that a fund sufficient to satisfy the claims of those on whose behalf he spoke might very easily be realized by the practice of economy in the dockyards in reference to the construction and frequent alteration of ships.

Mr. FLEMING said, he would repeat his Question, Why the sum of £15,000, which was set down in the Vote for the payment of the wages of artificers and labourers employed in the breaking up of old ships was not defrayed out of the sale of the materials of those vessels? He thought it would be more advisable to sell the ships at once for what they would bring, and thus save the expense of breaking them up.

Mr. CHILDERS said, that that had formerly been the custom, the balance accruing from the sale being paid into the Exchequer. The Treasury, however, acting in accordance with the recommendation of the Audit Commission, had arrived at the conclusion that the better plan was to take a Vote in the Estimates for the whole of the wages of the labourers employed in the dockyards, and to pay the full proceeds of the sale of old materials into the Exchequer.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Otway,*)—put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported on *Monday* next; Committee to sit again on *Monday* next.

MUTINY BILL.—COMMITTEE.

(*Mr. Dodson, The Marquess of Hartington, The Judge Advocate.*)

Order for Committee read.

Mr. DARBY GRIFFITH said, he must renew the complaint which he had made in the early part of the evening with respect to the Bill not having been printed before, expressing himself dissatisfied with the official answer which had been given to his question on the subject by the noble Marquess (the Marquess of Hartington).

The CHANCELLOR of the EXCHEQUER said, that it was not the custom to print annual Bills, such as those relating to Exchequer Bills and to the Militia, of which the skeleton remained the same. The only exceptions were the Appropriation Bill and the Mutiny Bill, which were now printed. It so happened that some alterations had been introduced into the present Bill, principally in the number of the men, and if the hon. Gentleman wished to call the attention of the House to any of these, every facility would be given to him to do so. But the Mutiny Bill was one which the exigencies of the service made it absolutely necessary should be passed by a certain day, and any loss of time might defeat that object.

Bill *considered* in Committee.

(In the Committee.)

On Question, "That the Preamble be *postponed,*"

Mr. DARBY GRIFFITH said, he must again complain of the non-printing of the Bill.

Colonel PERCY HERBERT said, he hoped that in future the Bill would be printed earlier, to give hon. Members an opportunity of more fully considering the subject.

Mr. WHALLEY said, he wished to ask for some explanation relative to the existence of Fenianism in the army. He was one of those who considered that Fenianism was connected with a particular creed. Roman Catholic recruits had, he believed, decreased within the last three or four years, but in the superior grades of the service Roman Catholicism had been on the increase. Let them remember that the Duke of Wellington had greatly objected to the admission of Roman Catholics into the higher corps of the army, whereas there had of late years been a steady influx of recruits of that creed into those corps. [*Cries of* "Question!"] He was speaking to the question, because the preamble stated that the Bill was for the maintenance of the safety of the service. He had before called attention to the fact that the libraries of the soldiers were filled with books of a most seditious character, and he attributed the disasters which the British troops had experienced in New Zealand to the organization of the rebel forces by Roman Catholic priests. There were certain facts which he must characterize as dangerous in connection with the discipline of the army, although he admitted the possibility that it might be a delusion on his part.

Preamble *postponed.*

Clauses 1 to 21, inclusive, *agreed to.*

Clause 22.

Mr. P. A. TAYLOR said, he wished to call attention to the practice of flogging in the army. The clause authorized a system of discipline of a nature so severe that it could not justly be designated anything but torture. During the year 1862, there were eighteen lashes for every turn administered on the back of the British soldier. He contended that it was a libel on the English character to contend that the average class of Englishmen could not be kept in discipline without the lash. Either we enlisted bad men, or we had incapable officers. He moved the omission of the clause.

Mr. KINNAIRD said, the punishment of flogging was, according to the alteration introduced by the late Lord Herbert, only inflicted on soldiers who had been previously degraded. It was rarely inflicted, and only in extreme cases. He should vote for the retention of the clause, believing it to be necessary for the discipline of the army that such a power should be given, and believing also that it was never at present unnecessarily exercised.

Mr. LOCKE said, the punishment ought not to be inflicted on any Englishman. We had secured the Sepoys from corporal punishment, and that punishment ought not to be allowed to remain in our own army. The minority in the House against the punishment had been gadually increasing, and he thought the time had come when it should be abolished. Flogging had been abrogated in England till a few years ago, when it was revived in the case of "garrotters." Ought it, then, to be continued in the case of the soldier? Thieves were not flogged at home. Ought soldiers to be classed with garrotters?

Sir JAMES FERGUSSON said, the punishment of flogging was regarded by every officer in the army with aversion; and was not resorted to except in extreme cases of imperious necessity. No soldier of good character dreaded the punishment; but no good soldier objected to it when it was inflicted on soldiers of the most disreputable character. It was their best protection against the evil doers. He hoped the House would not, by striking out the clause, interfere with the discipline of the army.

Mr. HADFIELD said, that flogging had been abolished in many of our prisons without detriment to discipline. Mr. Sheppard, the Governor of the Wakefield Prison, had expressed his opinion that corporal punishment had been a failure. The punishment was a revolting one. The same arguments used now were used in favour of flogging in prisons, but the severity of the punishment was mitigated without the discipline of the prison being affected. Flogging was inconsistent with their notions of civilization, and was a soldier to be the only man subjected to this mode of punishment? The opinion of military gentlemen was not to be relied on. They were so accustomed to the punishment they could not make up their minds to forego it.

Mr. ADDERLEY said, that the late hour of half past one was not the time for entering on the question of corporal punishment, but he wished to express an opinion that the term "barbarous punishment" was only applicable to punishments that failed in their object of reforming the criminal; and such was not the case with flogging in the army. He thought that nonsense enough had been spoken on the subject on the preceding night which had been condemned by two divisions in Committee. Corporal punishment was still inflicted in prisons and in public schools.

MR. OTWAY said, he had ascertained that flogging was still practised in the Indian army. It had been revived by the late Lord Hardinge.

Question put, "That the Clause stand part of the Bill."

The Committee *divided* :—Ayes 56; Noes 17: Majority 39.

Clauses 23 to 25 *agreed to.*

Clause 26.

MR. P. A. TAYLOR said, he moved the rejection of the clause. It was an infamy and a disgrace to the country.

THE MARQUESS OF HARTINGTON said, that the word "branding" which occurred in the Bill must not be interpreted in the ordinary sense of burning. The men were merely tattooed with indelible ink in order that they might be prevented, after being discharged for gross misconduct from a regiment, from re-enlisting over and over again, to the injury of the army.

SIR ROBERT CLIFTON said, that branding was a most painful operation. He hoped some means would be found for superseding an operation that marked and degraded a man for the remainder of his life.

Question put, "That the Clause stand part of the Bill."

The Committee *divided* :—Ayes 53; Noes 15: Majority 38.

Remaining clauses *agreed to.*

MR. WHALLEY said, that no answer had been returned to the Question which he had addressed to the noble Marquess the Secretary for War.

THE MARQUESS OF HARTINGTON said, he had given the Committee all the information which he possessed on the subject of Fenianism the other night upon the Army Estimates. He had nothing either to contradict or to add to that statement. As to the suspicion entertained by the hon. Member that the Church of Rome had anything to do with the Fenian movement, he certainly possessed no information leading him to the belief that this assumption was well founded. The books supplied to soldiers were all authorized by the Council of Military Education. He had promised the hon. Member that their contents should be inquired into, but he really could not promise to read them himself. In the first place, if the hon. Member's account of them was correct, they might have a very prejudicial effect upon his own mind; but, in any case, he had no time for the purpose, even though one of them might bear the attractive title of *The Red, White, and Blue.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time on *Monday* next.

THAMES NAVIGATION BILL.

On Motion of Mr. MILNER GIBSON, Bill for vesting in the Conservators of the River Thames the conservancy of the Thames and Isis from Staines, in the county of Middlesex, to Cricklade, in the county of Wilts, and also that of Colemouth Creek and part of the Waters of the Medway, in the county of Kent, and for other purposes connected therewith, *ordered* to be brought in by Mr. MILNER GIBSON and Mr. MONSELL.

Bill *presented,* and read the first time. [Bill 59.]

RAILWAYS CLAUSES BILL.

On Motion of Mr. MILNER GIBSON, Bill for consolidating in one Act provisions applicable to Metropolitan and other Railways, *ordered* to be brought in by Mr. MILNER GIBSON and Mr. MONSELL.

Bill *presented,* and read the first time. [Bill 60.]

WATERWORKS BILL.

On Motion of Mr. MILNER GIBSON, Bill to make better provision for the security of Reservoirs, and otherwise to amend the Law relating to Waterworks, *ordered* to be brought in by Mr. MILNER GIBSON and Mr. MONSELL.

Bill *presented,* and read the first time. [Bill 61.]

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House adjourned at a quarter after Two o'clock, till Monday next.

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☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

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Slaughter of Cattle — Petition, Observations, The Duke of Buccleuch; Reply, The Earl of Lichfield *Mar* 1, 1272
Statistics, Question, Colonel Wilson Patten; Answer, Mr. Milner Gibson *Feb* 19, 761; Question, Mr. Owen Stanley; Answer, Mr. H. A. Bruce *Feb* 22, 898; Question, Mr. Read; Answer, Mr. Milner Gibson *Feb* 23, 963

Cattle Diseases Bill
(*Sir G. Grey, Mr. Chancellor of the Exchequer, Mr. Baring*)
c. Order to consider Cattle Diseases Act in Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Sir G. Grey*) *Feb* 12, 355
Act considered in Committee, after long debate; a Resolution agreed to, and reported
Bill ordered; read 1°* *Feb* 12 [Bill 6]
Moved, "That the Bill be now read 2°" (*Sir G. Grey*) *Feb* 14, 460
Read 2° after long debate *Feb* 14
Considered in Committee, after short debate *Feb* 15, 510; Comm. R.P.
Committee; Report *Feb* 16, 600
Considered as amended in respect of Clauses 35, 37, and the last clause *Feb* 17, 727
Committee; Report *Feb* 17, 727
Read 3°* *Feb* 17 [Bill 22]
l. Read 1ª (*The Lord President*) *Feb* 17
Moved, "That the Bill be now read 2ª" *Feb* 19, 731 (No. 14)
Read 2ª after debate *Feb* 19
Standing Orders dispensed with
Committee; Report *Feb* 19, 738
Read 3ª after long debate *Feb* 19
Royal Assent *Feb* 20 [29 *Vict.* c. 2]

Cattle Diseases (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Sir G. Grey*)
c. Resolution in Committee; Bill ordered; read 1° * *Feb* 23 [Bill 37]
Moved, "That the Bill be now read 2°" (*Mr. Attorney General for Ireland*) *Feb* 26, 1177
Read 2° after short debate *Feb* 26
Committee; Report *Feb* 27, 1235
Considered as amended * *Feb* 28
Read 3° * *Mar* 1
l. Read 1ª * (*The Lord President*) *Mar* 2 (No. 30)
Moved, "That the Bill be now read 2ª" *Mar* 5, 1494
Read 2ª after short debate *Mar* 5
Standing Orders Nos. 37 and 38 dispensed with; Committee negatived
Read 3ª * *Mar* 5
Royal Assent *Mar* 6 [29 *Vict.* c. 4]

Cattle Plague Bill
(*Mr. Hunt, Mr. Holland, Mr. Banks Stanhope, Sir James Fergusson*)
c. Considered in Committee
Bill ordered; read 1° * *Feb* 12 [Bill 7]
Read 2° * *Feb* 14
Committee; Report *Feb* 16, 658 [Bill 20]
Committee (*on re-comm.*)—R.P. *Feb* 17, 730 [Bills 7 & 24]
Committee (*on re-comm.*)—R.P. *Feb* 19, 763
Committee (*on re-comm.*); Report *Feb* 20, 849 [Bills 7, 24, & 32]
Committee (*on re-comm.*); Report *Feb* 22, 928
Considered as amended; after short debate, Read 3° *Feb* 23, 1056 [Bill 34]
l. Read 1ª (*The Lord President*) *Feb* 26, 1060 (No. 27)
Moved, "That the Bill be now read 2ª" *Feb* 27, 1179; after short debate, read 2ª, and referred to a Select Committee; List of the Committee
Committee *; Report *Mar* 5
Considered in Committee *Mar* 8, 1695 (Nos. 27, 33, & 33*)
Standing Orders No. 37 and 38 dispensed with; Amendts. reported; read 3ª *Mar* 8 (No. 43)

Cave, Mr. S., *New Shoreham*
Jamaica Government, Leave, 583; 2R. 926; Consid. *cl.* 1, 1176; 3R. 1264
Mines and Woods, Rating of, 1394, 1407
New Palace Yard, Works in, 1525
Oyster Fisheries, Deep Sea, 970

Cave, Mr. T., *Barnstaple*
Army Estimates—Martial Law, 1765

Cavendish, Lord F. C., *Yorkshire, W.R.—N.*
Address in Answer to the Speech, 107

Cavendish, Lord G. H., *Derbyshire, N.*
Cattle Plague, Comm. *cl.* 18, 791, 793

Chambers, Mr. T., *Marylebone*
Bankruptcy Law, 1809
Cattle Plague, 1711
Mid-London Railway, 2R. 1595
Parliamentary Oaths Amendment, 2R. 1736

Chancellor, The Lord (Lord Cranworth)
Cattle Diseases, Comm. *cl.* 5, 742, 744
Cattle Plague, 437, 446
Divorce and Matrimonial Causes, 2R. 1493
Evidence, Law of, Amendment, 2R. 1483
Parliament, Opening of the Session, 1, 2, 3
Prince Alfred, Provision for—Message from the Queen, 807
Princess Helena, Marriage of the — Message from the Queen, 807
Sale of Land by Auction, 1R. 193; 2R. 435; Comm. *cl.* 8, 884
Speaker of the House of Commons, Approval of the, 18

Chancellor of the Exchequer (Right Hon. W. E. Gladstone), *Lancashire, S.*
Address in Answer to the Speech, 187, 265, 273
Adjournment—Ash Wednesday, 449
Army Estimates—Native Indian Troops, 1583; —Pay and Allowances, 1586
Bank Charter Act, 448
Bank Notes (Ireland), Leave, 848
Barley, Foreign, 1497
Beer, Sale of, 1618
Cattle Diseases, Leave, 393, 397, 399, 400; 2R. 502; Comm. *cl.* 13, 527, 539, 540, 544; *cl.* 21, 578, 598, 602; *cl.* 31, 614, 622; *cl.* 35, Amendt. 628, 629; *cl.* 11, 653; *cl.* 50, 654, 655, 657, 658
Cattle Diseases (Ireland), Comm. *cl.* 10, 1235, 1236, 1237
Cattle Plague, Comm. Preamble, 763; *cl.* 28, 799, 800, 801; *cl.* 29, 802
Church Rates Abolition, 2R. 1660
Coffee, Duty on, 963
Danubian Provinces — State of Roumania, 1519
Devonport Election, 1306, 1511
Easter Recess, 1711
East India communications, Comm. moved for, 1233
Elective Franchise, Leave, 845
Exchequer and Audit Departments, Leave, 275; 2R. 1372
Exchequer Bills and Bonds, Leave, 1481
Fenianism in America, 1036, 1038, 1039
Habeas Corpus Suspension (Ireland), Leave, 716; Sitting on Sunday, 762
International Maritime Law, Address moved, 1479
Ireland— Queen's University and Queen's Colleges, 811, 812, 966, 968
Jamaica—The Commission, 1500, 1501
Japan—Exchange in, 1194
Mutiny, Comm. 1880
National Debt Acts, Res. 274
National Gallery, Director of the, 760, 761
Navy Estimates — Dockyard Salaries, 1858, 1870
Palmerston, Viscount, Monument to, 818; Comm. Res. 910, 917
Parliamentary Reform, 1503, 1504; Notice, 1286
Post Office—Wages of Letter Carriers, 961
Prince Alfred, Provision for, Comm. Res. 907, 908
Prince Alfred's Annuity, 2R. 1269, 1270; Comm. 1630
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 Speaker, Choice of a, 11, 13
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CHELMSFORD, Lord
 Abyssinia—Imprisonment of British Subjects, 26, 281, 289, 292, 1788
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 Princess Helena's Annuity, 2R. 1790
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CHILDERS, Mr. H. C. E. (Secretary to the Treasury), *Pontefract*
 Alderney, Works at, 1282
 Army Estimates — Barrack Establishments, 1758
 Artizans and Labourers' Dwellings, Leave, 824
 County Courts, Leave, 1480
 Customs' Clerks, Salaries of the, 1197, 1198, 1806, 1807
 East India communications, Comm. moved for, 1231
 Epping Forest, 896, 897
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 Ireland—Dublin and Londonderry Mails, 813; —Registry of Deeds Office, 1055; — Fishery Piers, 1390, 1391
 Labouring Classes' Dwellings, Leave, 428
 Navy Estimates, 1173; — Dockyard Salaries, 1864, 1879
 Supply—Civil Service Estimates, 1779, 1783
 Weights and Measures, 900, 963

Children in Manufacturing Towns, Education of
 Question, Mr. Fawcett; Answer, Sir G. Grey *Feb* 13, 448

Children in Mines, Employment of
 Question, Mr. Akroyd; Answer, Sir G. Grey *Mar* 5, 1497

Church Rates Abolition Bill
 (*Mr. Hardcastle, Mr. Dillwyn, Mr. Baines*)
c. Ordered; read 1°* *Feb* 13 [Bill 11]
 Moved, "That the Bill be now read 2°" (*Mr. Hardcastle*) *Mar* 7, 1632
 Amendt. to leave out "now," and add "upon this day six months" (*Mr. Walpole*); Question, "That 'now,' &c.;" after long debate, A. 285; N. 252, M. 33; main Question agreed to; Read 2° *Mar* 7, and committed; Division List, Ayes and Noes, 1691

Church Rates Abolition Bill
 Question, Mr. Walpole; Answer, Mr. Beresford Hope *Mar* 5, 1503

Church Rates Commutation Bill
 (*Mr. Newdegate, Lord R. Montagu*)
c. Ordered; read 1°* *Feb* 13 [Bill 12]
 Bill withdrawn * *Feb* 20

Church Rates Commutation (No. 2) Bill
 (*Mr. Newdegate, Mr. Bovill*)
c. Ordered; read 1°* *Feb* 20 [Bill 30]

CLANRICARDE, Marquess of
 Railway Reform (Ireland), Paper moved for, 1591
 Roman Catholic Church (Ireland), Returns moved for, 1076, 1077

CLARENDON, Earl of (Secretary of State for Foreign Affairs)
 Abyssinia—Imprisonment of British Subjects, 27, 287, 288, 289, 1788

CLAY, Mr. J., *Kingston-upon-Hull*
 Elective Franchise, Leave, 825

Clerks to Justices Bill
 (*Mr. Colvile, Sir H. Hoare*)
c. Ordered; read 1° *Mar* 6, 1620 [Bill 53]

CLIFTON, Sir R. J., *Nottingham*
 Marine Mutiny, Comm. *cl.* 39, 1786
 Mutiny, Comm. *cl.* 26, 1883

CLIVE, Mr. G., *Hereford*
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COCHRANE, Mr. A. D. Baillie, *Honiton*
 Cattle Diseases, Leave, 380; Comm. *cl.* 5, 513; *cl.* 13, 541; *cl.* 31, 610
 Colonial Governors (Retiring Pensions) Act Amendment, Leave, 1200
 Coolie Emigration, 1707, 1708
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 International Maritime Law, Address moved, 1430
 Jamaica Government, Leave, 582, 599

Coffee, Duty on
 Question, Mr. Marsh; Answer, The Chancellor of the Exchequer *Feb* 23, 963

COGAN, Mr. W. H. F., *Kildare Co.*
 Army Estimates—Barrack Establishment, 1759

COLEBROOKE, Sir T. E., *Lanarkshire*
 Cattle Diseases, Comm. *cl.* 5, Amendt. 513, 515; *cl.* 13, 533; *cl.* 7, 644
 Cattle Plague, Comm. *cl.* 18, 795; *add. cl.* 953

Collection of Taxes
 Question, Mr. C. Forster; Answer, The Chancellor of the Exchequer *Feb* 9, 308

Collier, Sir R. P., *see* Solicitor General, The

Colonial Governors (Retiring Pensions) Act Amendment Bill
(*Mr. B. Cochrane, Mr. S. Cave*)
c. Ordered *Feb* 27, 1200

Colvile, Mr. C. R., *Derbyshire, S.*
Clerks to Justices, Leave, 1620

Common Law Courts (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered; read 1°* *Feb* 15 [Bill 18]

Commons and Open Spaces (Metropolis)
Question, Mr. Doulton; Answer, Mr. Cowper *Feb* 13, 447

Conolly, Mr. T., *Donegal Co.*
Habeas Corpus Suspension (Ireland), Leave, 707

Consolidated Fund (£1,137,772) Bill
c. Ordered; read 1°* *Mar* 2
Read 2°* *Mar* 5
Committee; Report* *Mar* 6
Read 3°* *Mar* 7
l. Read 1ª* *Mar* 8
Read 2ª* *Mar* 9

Controverted Elections
General Committee of Elections appointed *Feb* 21, 879
Chairmen's Panel reported *Feb* 27, 1238

Coolie Emigration
Question, Mr. Baillie Cochrane; Answer, Mr. M. Gibson *Mar* 8, 707

Corn and Meat, Consumption of
Question, Sir S. Northcote; Answer, Mr. M. Gibson *Feb* 20, 815

Corry, Right Hon. H. T. L., *Tyrone Co.*
Army Estimates — Manufacturing Establishments, 1775
"London," Loss of the, 1497
Navy Estimates—Men and Boys, 1338, 1347, 1350, 1351, 1352, 1355; — Coast Guard Service, 1367, 1368, 1779

County Courts Bill
(*Mr. Childers, Mr. Chancellor of the Exchequer, Mr. Attorney General*)
c. Ordered; read 1° *Mar* 2, 1480 [Bill 47]

County Infirmaries (Ireland) Bill
(*Mr. Pollard-Urquhart, Mr. O'Reilly*)
c. Ordered; read 1°* *Feb* 13 [Bill 14]

Courtenay, Viscount, *Exeter*
National Gallery, Director of the, 760

Court of Chancery (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered; read 1°* *Feb* 15 [Bill 19]

Courts of Law, New
Question, Mr. C. Bentinck; Answer, Mr. Cowper *Feb* 15, 510; Question, Mr. Bentinck; Answer, Mr. Cowper *Feb* 20, 813

Cowper, Right Hon. W. F. (Chief Commissioner of Works), *Hertford*
Commons and Open Spaces (Metropolis), 447
Courts of Law, New, 510, 813, 814
New Palace Yard, Works in, 1523, 1525
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Cranbourne, Viscount, *Stamford*
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Casual Poor, Clerkenwell, 1809
Cattle Diseases, 2R. 492; Comm. *cl.* 13, 532; *cl.* 14, 550
Cattle Plague, Comm. *cl.* 16, 778; *cl.* 18, 793, 796; *cl.* 28, 800, 801; *cl.* 35, 854, 857; *cl.* 39, Amendt. 859; *cl.* 41, 860; *cl.* 3, 861; *cl.* 30, 951; *add. cl.* 952; Consid. Preamble, Amendt. 1058
Cattle Plague—The Commission, 312
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International Maritime Law, Address moved, 1455
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Craufurd, Mr. E. H. J., *Ayr, &c.*
Cattle Diseases, Comm. *cl.* 43, 632; Schedule, 1, 657; Consid. *cl.* 21, Amendt. 729
Cattle Plague, Comm. *cl.* 18, 797; *add. cl.* 954
London (City) Corporation Gas, 2R. 1610
Reform Bill, The, 1503
Sea Fisheries Commission, 761
Union Chargeability Act, Extension of, to Scotland, 596

Crawford, Mr. R. W., *London*
Cattle Diseases, Comm. *cl.* 3, 638, 641; Consid. *cl.* 4, Proviso, 728
Cattle Plague, Comm. *cl.* 16, Amendt. 777; *add. cl.* 850, 854; *cl.* 30, 945
East India communications, Comm. moved for, 1218, 1233
London (City) Corporation Gas, 2R. 1597, 1613
London (City) Traffic Regulation, 2R. 893
Metropolitan Local Government, Comm. moved for, 1211

Crossley, Sir F., *Yorkshire, W.R.—N.*
Cattle Diseases, Comm. *cl.* 16, 558

Customs' Clerks, Salaries of the
Question, Mr. Seely; Answer, Mr. Childers *Feb* 27, 1197; Question, Mr. Torrens; Answer, Mr. Childers *Mar* 9, 1806

Dalglish, Mr. R., *Glasgow*
Cattle Plague, Comm. *cl.* 30, 950; 3R. 1058

Dalhousie, Earl of
Cattle Diseases, 2R. 736; Comm. *cl.* 5, 742; *cl.* 10, 745, 746, 747; *cl.* 12, 749; *cl.* 18, 756
Cattle Plague Act, 803

Danubian Provinces—State of Roumania
Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer *Mar* 5, 1518

Dawson, Mr. R. P., *Londonderry Co.*
Ireland—Church Establishment, 1709
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De Grey and Ripon, Earl (Secretary of State for India)
Indian Officers, Grievances of, 1788

Denison, Right Hon. J. E., *see also* Speaker, The
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Denman, Lord
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Dent, Mr. J. D., *Scarborough*
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Cattle Diseases, Comm. *cl.* 7, 517; *cl.* 13, 543; *cl.* 14, 553; *cl.* 16, 558; *cl.* 40, 630
Cattle Plague, Comm. *cl.* 5, Amendt. 774; *cl.* 28, 800; *add. cl.* 863

Derby, Earl of
Abyssinia — Imprisonment of British Subjects, 287
Address in Answer to the Speech, 87, 94, 103
Art, 2R. 809; Comm. *cl.* 3, 885; Preamble, 887
Cattle Diseases, Comm. *cl.* 5, 743; *cl.* 12, 753; *cl.* 15, 756; Schedule, 757
Cattle Diseases (Ireland), 2R. 1494
Cattle Plague, 1R. 1061, 1063
Cattle Plague, The—Conference at St. James' Hall, 294, 300, 438, 443, 444, 446, 956
Devonport Election, 1376, 1378
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King of the Belgians, The late—Trust Estate of, 1381
Roman Catholic Church (Ireland), Returns moved for, 1072
Sheep, Small Pox among, 804, 805

Dering, Sir E. C., *Kent, E.*
Navy, Engineers in the, 1840, 1844

Devonport Election
Question, Sir J. Pakington; Answer, The Solicitor General *Mar* 1, 1287; Personal Explanations, The Duke of Somerset *Mar* 2, 1376; Lord C. Paget and Mr. Horsman *Mar* 5, 1505; Question, Sir J. Pakington; Answer, Lord C. Paget *Mar* 9, 1808

Dickson, Major A. G., *Dover*
Army Estimates—Land Forces, 1574
Dover—Guilford Battery, 1807

Dillon, Mr. J. B., *Tipperary Co.*
Habeas Corpus Suspension (Ireland), Leave, 701
Ireland—Registry of Deeds Office, 1054

Disraeli, Right Hon. B., *Buckinghamshire*
Army Estimates — Clothing Establishments, 1756
Cattle Diseases, Comm. *cl.* 5, 512; *cl.* 13, 547; *cl.* 14, 552; *cl.* 16, 556; *cl.* 21, 577
Church Rates Abolition, 2R. 1690
Devonport Election, 1307
Habeas Corpus Suspension (Ireland), Leave, 682
Palmerston, Viscount, Monument to, Comm. Res. 916
Parliamentary Oaths Amendment, 2R. 1712, 1724, 1808
Princess Helena, Marriage of the, Comm. Res. 906
Speaker, Choice of a, 15

Divorce and Matrimonial Causes Bill
[H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª * *Feb* 19 (No. 17)
Read 2ª after short debate and committed *Mar* 5, 1493
Committee * *Mar* 6
Report * *Mar* 8
Read 3ª * *Mar* 9
Royal Assent *June* 11 [29 *Vict.* c. 32]

Dodson, Mr. J. G. (Chairman of the Committees of Ways and Means), *Sussex, E.*
Cattle Diseases, Leave, 391; Comm. *cl.* 13, 540; *cl.* 21, 604
Cattle Plague, Comm. *cl.* 30, 948
Mid-London Railway, 2R. 1596
Scotland—Dogs in, 1834

Doulton, Mr. F., *Lambeth*
Commons and Open Spaces (Metropolis), 447
Epping Forest, 896

Dover—Guilford Battery
Question, Major Dickson; Answer, The Marquess of Hartington *Mar* 9, 1807

Du Cane, Mr. C., *Essex, N.*
Church Rates Abolition, 2R. 1655
Oyster Fisheries, Deep Sea, 973

Duff, Mr. M. E. Grant, *Elgin, &c.*
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Dufferin, Lord (Under Secretary of State for War)
Ireland — Schoolmasters, Return moved for, 1281 ;—Marriage Law, Papers moved for, 1380, 1381

Duncombe, Vice-Admiral Hon. A., *Yorkshire, E.R.*
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Duncombe, Hon. W. E., *Yorkshire, N.R.*
Cattle Diseases, Comm. *cl.* 13, 544
Cattle Plague, Comm. *cl.* 10, 799

Dunlop, Mr. A. M., *Greenock*
Cattle Diseases, Comm. *cl.* 5, Amendt. 514
Qualification for Offices Abolition, 2R. 1253

Dunne, Major-Gen. F. P., *Queen's Co.*
Army Estimates—Land Forces, 1567, 1580 ;—Pay and Allowances, 1586
Cattle Plague, Consid. *add. cl.* 1057
Railways (Ireland) — Metropolitan Railway Schemes, 1014

Dunsany, Lord
Cattle Diseases, 596
Cattle Diseases (Ireland), 2R. 1494
Ireland—Schoolmasters, Returns moved for, 1281
Roman Catholic Church (Ireland), Returns moved for, 1083

Dutton, Hon. R. H., *Cirencester*
Cattle Diseases, Comm. *cl.* 13, 545

Easter Recess, The
Question, Colonel Wilson Patten ; Answer, The Chancellor of the Exchequer *Mar* 8, 1711

East India Communications
Moved, "That a Select Committee be appointed to inquire into the practical working of the present systems of Telegraphic and Postal Communications between this Country and the East Indies" (*Mr. Crawford*) *Feb* 27, 1218 ; after long debate, Motion agreed to ; Select Committee appointed ; List of the Committee, 1234

Ecclesiastical Commission—Conversion of Curacies into Rectories
Question, The Duke of Marlborough ; Answer, Earl Granville *Mar* 5, 1495

Education
Committee of Council on—Select Committee appointed *Feb* 13, "To inquire into the constitution of the Committee of Council on Education, and the system under which the business of the office is conducted ; and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to schools at present unassisted by the State" (*Sir John Pakington*) ; List of the Committee, 451
Revised Code, 1866, Question, Mr. Powell ; Answer, Mr. H. A. Bruce *Mar* 2, 1393

Edwards, Lieut.-Col. H., *Beverley*
Army Estimates—Volunteer Corps, 1770 ;—Manufacturing Establishments, 1776
Cattle Diseases, Comm. *cl.* 7, 518
Cattle Plague—Removal of Hides, 1619
Jamaica Government, 2R. 922

Egerton Lord
Cattle Diseases, Comm. *cl.* 12, 749

Egerton, Hon. A. F., *Lancashire, S.*
Smoke Furnaces, 1827

Egypt—Suez Canal
Question, Mr. Sandford ; Answer, Mr. Layard *Feb* 12, 345

Elcho, Lord, *Haddingtonshire*
Army—Artillery—Rifled Guns, 1806
Army Estimates—Pay and Allowances, 1585 ; Report, 1628 ;—Clothing Establishments, 1751 ;—Volunteer Corps, 1771 ;—Manufacturing Establishments, 1775, 1777
Cattle Diseases, Comm. *cl.* 5, 513 ; *cl.* 21, 571 ; 3R. 729
Cattle Plague, Comm. *cl.* 16, 780
Cattle Plague (Scotland), 510
Elective Franchise, Leave, 838
Metropolitan Local Government, Comm. moved for, 1214
Navy Estimates—Men and Boys, 1365
Reform Bill, The, 306
Thames Embankment (North Approaches), 2R. 1092

Elective Franchise Bill
(*Mr. Clay, Mr. George Clive, Mr. Gregory*)
c. Motion for Leave (*Mr. Clay*)
Ordered, after long debate *Feb* 20, 825
Read 1° * *Feb* 22 [Bill 31]

Electric Telegraphs, Rating of
Question, Mr. Surtees ; Answer, Mr. Villiers *Feb* 26, 1096

Ellenborough, Earl of
Abyssinia—Imprisonment of British Subjects, 1789
Cattle Diseases, Orders in Council, 891
Cattle Plague, Comm. *add. cl.* 1703
Cattle Plague, Papers moved for, 505, 506 ;—Report of Dr. Simonds, 585, 803
Indian Officers, Grievances of, 1788

Ellice, Mr. E., *St. Andrews, &c.*
Scotland—Dogs in, 1832

Entail (Scotland) Bill
(*Mr. H. Baillie, Mr. E. Craufurd, Sir W. Stirling-Maxwell*)
c. Ordered ; read 1° * *Mar* 1 [Bill 45]

Epping Forest
Question, Mr. Doulton ; Answer, Mr. Childers *Feb* 22, 896

Erskine, Vice-Adm. J., *Stirlingshire*
Navy Estimates—Men and Boys, 1170, 1355
Navy—Masters in the, 1321

Esmonde, Mr. J., *Waterford Co.*
Address in Answer to the Speech, 264

Essex, Earl of
Address in Answer to the Speech, 53

Evans, Mr. T. W., *Derbyshire, S.*
Cattle Diseases, Comm. *cl.* 31, 611
Cattle Plague, Comm. *cl.* 18, 790

Ewart, Mr. W., *Dumfries, &c.*
Capital Punishments within Prisons, 1627
France and Monaco—Treaty between, 1196
Public Libraries Act Amendment, Leave, 1234

Ewing, Mr. H. E. Crum.- *Paisley*
Jamaica Government, 2R. 921; Consid. *cl.* 1, 1175

Exchequer and Audit Departments Bill
(*Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Ordered; read 1° *Feb* 8, 275 [Bill 3]
Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *Mar* 1, 1368
Read 2°, after debate, and committed to the Committee of Public Accounts

Exchequer Bills and Bonds Bill
(*Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Ordered; read 1° *Mar* 2, 1481 [Bill 46]

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Fane, Lieut.-Col. H. H., *Hampshire, S.*
Army Estimates—Commissariat, 1747;—Volunteer Corps, 1772

Fawcett, Mr. H., *Brighton*
Education of Children in Manufacturing Towns, 448
Post Office—Wages of Letter Carriers, 961

Fellowes, Mr. E., *Huntingdonshire*
Cattle Diseases, Comm. *cl.* 33, 628; *cl.* 44, 632

Fellows of Colleges Declaration Bill
(*Mr. Bouverie, Mr. Dudley Fortescue*)
c. Ordered; read 1°* *Feb* 20 [Bill 26]
Moved, "That the Bill be now read 2°" (*Mr. Bouverie*) *Feb* 28, 1257
Read 2° after debate *Feb* 28

Fenian Convicts and the Metropolitan Police
Question, Mr. Bagwell; Answer, Sir G. Grey *Feb* 20, 816

Fenianism in the Army
Question, Colonel North; Answer, Mr. Headlam *Feb* 9, 310;—*in America,* Question, Mr. Watkin; Answer, The Chancellor of the Exchequer *Feb* 23, 1027

Ferguson, Mr., Case of
Amendt. on Committee of Supply, To leave out "That," and add "there be laid before this House, Copies of the entry on the charge sheet of the Greenwich or any other Police District, under which Mr. Ferguson was locked up in a police cell on the night he was assaulted [and other documents]" (*Mr. H. B. Sheridan*) *Mar* 8, 1737; after debate, Question, "That the words, &c.," put, and agreed to

Fergusson, Sir J., *Ayrshire*
Army Estimates—Native Indian Troops, 1581, 1583;—Pay and Allowances, 1586; Adj. moved, 1587;—Disembodied Militia, 1766
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Cattle Plague, Comm. *cl.* 2, 774; *cl.* 3, 860; Amendt. 862; *add. cl.* 865; *cl.* 28, 930; *add. cl.* 954; 3R. 1058
Mid-London Railway, 2R. 1596
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Ferrand, Mr. W. B., *Devonport*
Navy Estimates—Men and Boys, 1173, 1328, 1330;—Admiralty Office, 1846;—Dockyard Salaries, 1859
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Fleming, Mr. J., *Devonport*
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Floyer, Mr. J., *Dorsetshire*
Cattle Diseases, Comm. *cl.* 10, 646
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Forde, Colonel W. B., *Downshire*
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George, Mr. J., *Wexford Co.*
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Goodson, Mr. J., *Great Yarmouth*
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Graham, Mr. W., *Glasgow*
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Gregory, Mr. W. H., *Galway Co.*
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Greville, Colonel F. S., *Longford Co.*
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GRIDLEY, Capt. H. G., *Weymouth*
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GRIFFITH, Mr. C. Darby, *Devizes*
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GROSVENOR, Earl, *Chester*
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Notices, Earl Russell *Feb* 16, 585, and Sir G. Grey, 600

Habeas Corpus Suspension (Ireland) Bill
(*Sir G. Grey, Mr. Chancellor of the Exchequer, Mr. Attorney General for Ireland*)
c. Motion for Leave (*Sir G. Grey*) *Feb* 17, 667 ; after long debate, A. 354, N. 6 ; M. 348
Bill ordered ; read 1° and 2° ; Committee ; Report ; Read 3° *Feb* 17 [Bill 12]
l. Presented (*Earl Russell*) ; read 1ª *Feb* 17, 658 (No. 12)
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Read 2ª ; Committee negatived ; Read 3ª *Feb* 17
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Habeas Corpus Suspension (Ireland) Bill—Royal Assent—The Sitting on Sunday
Question, Mr. Mainwaring ; Answer, The Chancellor of the Exchequer *Feb* 19, 762

Habitual Offenders (Scotland) (1866) Bill
(*The Lord Kinnaird*)
l. Presented ; read 1ª * *Feb* 20 (No. 22)

HADFIELD, Mr. G., *Sheffield*
Jamaica Government, 2R. 921
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Prince Alfred, Provision for, Comm. Res. 908
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HANBURY, Mr. R. H., *Middlesex*
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HANKEY, Mr. T., *Peterborough*
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Hardcastle, Mr. J. A., *Bury St. Edmunds*
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Hardwicke, Earl of
Cattle Diseases, Comm. *cl.* 10, 745, 746; *cl.* 15, 756

Hardy, Mr. G., *Oxford University*
Cattle Diseases, Leave, 416; Comm. *cl.* 7, 517
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Hardy, Mr. J., *Dartmouth*
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Harrowby, Earl of
Cattle Diseases, Comm. *cl.* 5, 743
Cattle Plague, Comm. *add. cl.* 1704

Hartington, Right Hon. Marquess of (Secretary of State for War), *Lancashire, N.*
Army—Cavalry Horses, 1711;—Employment of Native Troops in China, 1805;—Artillery—Rifled Guns, 1806
Army Estimates—Land Forces, 1526, 1538, 1545, 1563, 1575, 1579, 1580;—Native Indian Troops, 1582;—Pay and Allowances, 1584, 1585, 1586;—Commissariat, 1748, 1749;—Clothing Establishments, 1755, 1756, 1757;—Barrack Establishment, 1759, 1761, 1763;—Martial Law, 1763, 1765;—Disembodied Militia, 1768;—Yeomanry Cavalry, 1769;—Volunteer Corps, 1772;—Manufacturing Establishments, 1773, 1774, 1775, 1776;—Military Stores, 1778, 1779
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Hay, Lord W. M., *Taunton*
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Headlam, Right Hon. T. E. (Judge Advocate General), *Newcastle-upon-Tyne*
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Heathcote, Sir W., *Oxford University*
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Henderson, Mr. J., *Durham City*
Mines and Woods, Rating of, 1403
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Henley, Right Hon. J. W., *Oxfordshire*
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Army Estimates—Land Forces, 1538, 1572;—Native Indian Troops, Adj. moved, 1582;—Pay and Allowances, 1587;—Barrack Establishment, 1762
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Heygate, Sir F. W., *Londonderry Co.*
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Hoare, Sir H. A., *Windsor*
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Hodgkinson, Mr. G., *Newark*
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Hogg, Lieut.-Colonel J. M., *Bath*
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Hope, Mr. A. J. Beresford, *Stoke-on-Trent*
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Palmerston, Viscount, Monument to, Comm. Res. 917
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Hop Trade Bill
(*Mr. Huddleston, Sir B. Bridges, Sir E. Dering*)
c. Resolution in Committee
Ordered; read 1° * *Feb* 23 [Bill 36]

Horsfall, Mr. T. B., *Liverpool*
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Horsman, Right Hon. E., *Stroud*
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Hotham, Lord, *Yorkshire, E.R.*
Army Estimates—Land Forces, 1562, 1563;—Commissariat, 1748
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Howes, Mr. E., *Norfolk, E.*
Cattle Diseases, Comm. *cl.* 33, 627
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Hubbard, Mr. J. G., *Buckingham*
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Hughes, Mr. T., *Lambeth*
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Hunt, Mr. G. W., *Northamptonshire, N.*
Cattle Diseases, Leave, 373, 382, 383, 388, 391, 393, 394, 395, 396, 399, 400; 2R. 460; Comm. *cl.* 6, 516; *cl.* 10, Amendt. 519; *cl.* 12, Amendt. 519; *cl.* 13, 531, 532; Amendt. 540; *cl.* 14, 550, 551; *cl.* 15, 553; *cl.* 16, 559; *cl.* 21, Amendt. 565, 577, 578, 600; Amendt. 601, 603, 604, 605; *cl.* 41, Amendt. 630; *cl.* 43, 632; *cl.* 48, 633; *cl.* 50, 635; *cl.* 3, 642; *cl.* 7, Amendt. 643, 645; *cl.* 10, 646, 648; *cl.* 11, 652; *cl.* 50, 654; *add. cl.* 655, 657; Consid. *cl.* 21, 729
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Devonport Election, 1513
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Hutt, Right Hon. Sir W., *Gateshead*
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Bhootan, Expedition to, Question, Mr. Otway; Answer, Mr. Stansfeld *Feb* 27, 1198
Budget, The, Question, Mr. J. B. Smith; Answer, Mr. Stansfeld *Mar* 1, 1285
Lahore Bishopric Bill, Question, Mr. Gilpin; Answer, Mr. Stansfeld *Feb* 20, 811
Singapore—The Straits Settlements, Question, Lord Stanley; Answer, Mr. Cardwell *Feb* 22, 895

Industrial Schools—Statute 24 & 25 *Vict.* c. 113
Question, Mr. Liddell; Answer, Sir G. Grey *Feb* 15, 506

International Maritime Law
Amendt. on Committee of Supply, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to use Her influence with Foreign Powers for the purpose of making the principle that private property should be free from capture by sea a maxim of International Maritime Law" (*Mr. Gregory*) *Mar* 2, 1407; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Ireland
Admiralty, Court of, Question, Mr. Maguire; Answer, The Attorney General for Ireland *Mar* 2, 1390
Catholic University, The, Question, Mr. Lowe; Answer, The Attorney General for Ireland *Mar* 6, 1615
Cattle Plague, Motion for "Copy of the Report of the Committee convened by the Lord Lieutenant of Ireland to consider the measures that might be adopted for arresting the progress of the Cattle Plague, in case of its appearance in Ireland" (*Lord Naas*) *Feb* 13, 451; after short debate, Motion agreed to (*Parl. P.* No. 637); Questions, Colonel Forde, The O'Donoghue and Major Knox; Answers, The Attorney General for Ireland and Sir George Grey *Feb* 15, 508; Question, Mr. Gregory; Answer, The Attorney General for Ireland *Feb* 19, 762
Church Establishment, Question, Mr. Dawson; Answer, Sir J. Gray *Mar* 8, 1709
Constabulary, Pay of the, Question, The Earl of Leitrim; Answer, Earl Russell *Feb* 9, 278
Conveyance of Troop Horses to Ireland, Question, Mr. W. R. Gore; Answer, Mr. Milner Gibson *Feb* 20, 816
Dublin and Londonderry Mails, Question, Sir F. Heygate; Answer, Mr. Childers *Feb* 20, 813
Fisheries, Question, Mr. Blake; Answer, The Attorney General for Ireland *Mar* 8, 1710; Question, Mr. Blake; Answer, The Attorney General for Ireland *Mar* 9, 1837
Fishery Piers, Question, Sir H. Barron; Answer, Mr. Childers *Mar* 2, 1390
King's County Return—Privilege, Moved, "That the High Sheriff of the King's County be called to the Bar of the House to be examined touching this Return" (*Mr. Ayrton*) *Feb* 12, 345; after debate, Motion withdrawn
Law Officers, Question, Colonel Leslie; Answer, The Attorney General for Ireland *Feb* 16, 597
Marriage Law—Petition of Richard Talbot—Motion for Papers (*The Marquess of Westmeath*) *Mar* 2, 1378; after short debate, Motion postponed
Proclamation of the County of Louth, Question, Mr. S. B. Miller; Answer, The Solicitor General for Ireland *Feb* 20, 815

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Queen's University and Queen's Colleges, Question, Sir R. Peel; Answer, The Chancellor of the Exchequer *Feb* 20, 811; Question, Sir R. Peel; Answer, The Chancellor of the Exchequer *Feb* 23, 964
Railway Reform, Motion for Papers (*The Earl of Belmore*) *Mar* 6, 1591; Motion agreed to
Railways — Metropolitan Railway Schemes, Question, General Dunne; Answer, Mr. M. Gibson *Feb* 23, 1014
Registry of Deeds Office, Question, Mr. Dillon; Answer, Mr. Childers *Feb* 23, 1054
Roman Catholic Church, Motion for a Return (*Viscount Lifford*) *Feb* 26, 1063; after debate, Motion withdrawn
Schoolmasters, Address for Returns (*Lord Dunsany*) *Mar* 1, 1281; Motion agreed to
Union Rating, Question, Colonel Tottenham; Answer, The Attorney General for Ireland *Mar* 8, 1709

Jamaica, Affairs of
Question, Sir J. Pakington; Answer, Mr. Cardwell *Feb* 13, 450
Commission, The, Question, Mr. Bright; Answer, The Chancellor of the Exchequer *Mar* 5, 1500
Gordon's, Mr., Trial, Question, Mr. Buxton; Answer, Mr. Cardwell *Feb* 22, 900

Jamaica Government Bill
(*Mr. Secretary Cardwell, Mr. W. E. Forster*)
c. Ordered, after debate; read 1° *Feb* 15, 581
Read 2° after debate *Feb* 22, 918 [Bill 17]
Committee*; Report *Feb* 26
Considered as amended *Feb* 26, 1173
Moved, "That the Bill be now read 3°" (*Mr. Secretary Cardwell*) *Feb* 28, 1264
Read 3° after short debate *Feb* 28
l. Read 1ª* (*The Earl Russell*) *Mar* 2 (No. 29)

Japan, Exchange in
Question, Lord Stanley; Answer, The Chancellor of the Exchequer *Feb* 27, 1194

Jervis, Major H. J. W., *Harwich*
Cattle Diseases, Comm. *cl.* 21, 570

Jervoise, Sir J. C., *Hampshire, S.*
Sheep, Diseases in, 899

Jolliffe, Right Hon. Sir W. G. H., *Petersfield*
Army Estimates—Native Indian Troops, 1583; —Pay and Allowances, 1587
Cattle Diseases, Comm. *cl.* 25, 605; *cl.* 31, 611

Juries in Criminal Cases Bill
(*Sir C. O'Loghlen, Colonel French*)
c. Ordered; read 1°* *Feb* 13 [Bill 16]
Moved, "That the Bill be now read 2°" (*Sir C. O'Loghlen*) *Feb* 21, 868; after debate, Motion withdrawn; second reading deferred

Kekewich, Mr. S. T., *Devonshire, S.*
Cattle Plague, Comm. *cl.* 18, 790, 793, 795
Mines and Woods, Rating of, 1398

Kelly, Sir FitzRoy, *Suffolk, E.*
Beer, Sale of, 1618
Cattle Diseases, Leave, 420; Comm. *cl.* 6, 515; *cl.* 13, 540, 541; *cl.* 21, 602, 604; *cl.* 3, 638; *cl.* 7, 644; *cl.* 11, 650; *add. cl.* 655, 658
Cattle Plague, Comm. *cl.* 18, 790

Kendall, Mr. N., *Cornwall, E.*
Mines and Woods, Rating of, 1399

King, Hon. P. J. L., *Surrey, E.*
Cattle Diseases, Comm. *cl.* 14, 551, 552; *cl.* 21, 605
Cattle Plague, Comm. *cl.* 16, 779; *cl.* 18, 793; *cl.* 24, Amendt. 798; *cl.* 10, 799; *cl.* 35, 855, 858; Consid. *cl.* 21, Amendt. 1057
London (City) Traffic Regulation, 2R. 894

Kinglake, Mr. A. W., *Bridgwater*
Army Estimates—Pay and Allowances, 1584

Kinglake, Mr. Serjeant J. A., *Rochester*
Navy Estimates—Dockyard Salaries, 1858

King of the Belgians, The late—The Trust Estate of 1834
Statement of Administration of the Trust, The Earl of Derby *Mar* 2, 1381

Kingsdown, Lord
Sale of Land by Auction, 2R. 435

Kinnaird, Lord
Cattle, Illegal Removal of, 958
Cattle Plague, Comm. *cl.* E, 1700

Kinnaird, Hon. A. F., *Perth*
Artizans and Labourers' Dwellings, Leave, 824
Casual Poor, Clerkenwell, 1809
Cattle Diseases, Comm. *cl.* 11, 651
Exchequer Bills and Bonds, Leave, 1482
Labouring Classes' Dwellings, Leave, 431
Mutiny, Comm. *cl.* 22, 1881
Parliamentary Oaths Amendment, 2R. 1736

Knight, Mr. F. W., *Worcestershire, W.*
Cattle Plague, Comm. *cl.* 35, 859; *add. cl.* Amendt. 863

Knox, Hon. Major W. Stuart, *Dungannon*
Army Estimates—Land Forces, 1565, 1580;—Pay and Allowances, 1585;—Clothing Establishments, 1756;—Barrack Establishment, 1759;—Disembodied Militia, 1767
Cattle Plague (Ireland), 509
Jamaica—The Commission, 1501

Knox, Colonel B. W., *Marlow*
Devonport Election, 1315
Thames Embankment (North Approaches) 2R. 1094

Labouchere, Mr. H., *Windsor*
Neutrality Law, Inadequacy of our, 994, 1000

Labouring Classes' Dwellings Bill
(*Mr. Childers, Mr. Chancellor of the Exchequer Mr. Bruce*)
c. Ordered, after short debate; read 1° *Feb* 12, 428 [Bill 9]

Laing, Mr. S., *Wick, &c.*
International Maritime Law, Address moved, 1448, 1459
Neutrality Law, Inadequacy of our, 1001
Public Expenditure, Res. 1118

Lamont, Mr. J., *Buteshire*
Jamaica Government, 2R. 927

Lansdowne, Marquess of
Railway Companies' Borrowing Powers, 339

Law of Evidence Amendment Bill
(*The Lord Chancellor*)
l. Presented; read 1ª* *Feb* 19 (No. 16)
Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *Mar* 5, 1484
Amendt. to leave out ("now,") and insert ("this day six months") (*Lord Chelmsford*); on Question, "That ('now,') &c.," Cont. 29, Not-Cont. 29; the Numbers being equal, it was (according to ancient rule) resolved in the negative; Bill to be read 2ª on this day six months; List of the Cont. and Not-Cont.

Lawrence, Mr. Alderman W., *London*
Cattle Diseases, Comm. *cl.* 3, 640, 642
London (City) Corporation Gas, 2R. 1607
London (City) Traffic Regulation, 2R. 894

Lawson, Right Hon. J. C. (Attorney General for Ireland), *Portarlington*
Address in Answer to the Speech, 213, 215, 217
Cattle Diseases (Ireland), 2R. 1177, 1178
Cattle Plague (Ireland), 509, 762, 1805
Ireland—Law Officers, 597;—Court of Admiralty, 1391;—Catholic University, 1615;—Union Rating, 1709;—Fisheries, 1710, 1839

Layard, Mr. A. H. (Under Secretary of State for Foreign Affairs), *Southwark*
Africa, East Coast of, 1391
Egypt—The Suez Canal, 345
France and Monaco, Treaty between, 1196
Greece—Brigandage in, 960
Siam—Consulate of Bangkok, 1616

Leeds Bankruptcy Court
Question, Mr. Howes; Answer, The Attorney General *Feb* 13, 450

Leeman, Mr. G., *York City*
Cattle Diseases, Leave, 405
Cattle Plague, Comm. *cl.* 31, 931

Lefevre, Mr. G. J. Shaw, *Reading*
Neutrality Law, Inadequacy of our, 1003

Legal Pensions Bill
(*Mr. Attorney General, Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Ordered, after short debate; read 1° *Feb* 12, 427 [Bill 8]
Read 2°* *Feb* 15
Committee*; Report *Feb* 26
Committee* (*on re-comm.*); Report *Mar* 5
Read 3°* *Mar* 9 [Bill 40]

Legh, Mr. G. C., *Cheshire, N.*
Cattle Diseases, Leave, 383
Cattle Plague, Comm. *add. cl.* 864

Legitimacy Declaration, &c., Bill
(*Mr. Chambers, Mr. Edward Craufurd*)
c. Ordered; read 1°* *Mar* 6 [Bill 51]

Leitrim, Earl of
Ireland—Pay of the Constabulary, 278, 279

Lennox, Lord H. G. C. G., *Chichester*
Policemen in Plain Clothes, 597

Leslie, Colonel C. P., *Monaghan Co.*
Law Officers (Ireland), 597

Leslie, Mr. W., *Aberdeenshire*
Address in Answer to the Speech, 178

Lewis, Mr. H., *Marylebone*
Mid-London Railway, 2R. 1592
Metropolitan Local Government, Comm. moved for, 1213
Railways (Ireland)—Metropolitan Railway Schemes, 1026
Regent's Park, Ornamental water in the, 1283, 1392

Lichfield, Earl of
Cattle Diseases, Comm. *cl.* 12, 749; Schedule, 757; *cl.* 10, Amendt. 758
Cattle Plague, Comm. *add. cl.* 1705
Cattle Plague—Conference at St. James' Hall, 303;—Slaughter of Cattle, 1274, 1275

Liddell, Hon. H. G., *Northumberland, S.*
Cattle Diseases, Leave, 408; 2R. 502; Comm. *cl.* 40, 630; *cl.* 43, 632
Cattle Plague, Comm. *cl.* 16, 778; *cl.* 35, 857; *add. cl.* 864
Industrial Schools, 506
International Maritime Law, Address moved, 1424
Metropolitan Local Government, Comm. moved for, 1212
Navy Estimates—Men and Boys, 1360, 1366

Lifeboats on the Coast
Observations; Motion for a Return (*The Earl of Malmesbury*) *Feb* 16, 586

Lifford, Viscount
Roman Catholic Church (Ireland), Returns moved for, 1063, 1071

Lincoln, Bishop of
Cattle Plague—Day of Humiliation, 190

Lindsay, Colonel R. Loyd, *Berkshire*
Cattle Diseases, 2R. 480
Cattle Plague, Comm. *cl.* 17, 780; Amendt. 785

Lloyd, Sir T. D., *Cardiganshire*
Church Rates Abolition, 2R. 1687

Locke, Mr. J., *Southwark*
Artizans and Labourers' Dwellings, Leave, 823
Cattle Diseases, Comm. *cl.* 25, 605; *cl.* 3, 641
Cattle Plague, Comm. *add. cl.* 851, 854
Labouring Classes' Dwellings, Leave, 432
London (City) Traffic Regulation, 2R. 894
Metropolitan Local Government, Comm. moved for, 1215
Mines and Woods, Rating of, 1405
Mutiny, Comm. *cl.* 22, 1882
Public Offices (Site), Leave, 433
Rating, Law of, 990
Thames Embankment (North Approaches), 2R. 1090, 1092
Theatres, Licensing of, 344
Weights and Measures, 899

London (City) Corporation Gas Bill
Read 1° * *Feb* 26
Moved, "That the Bill be now read 2°" (*Mr. Crawford*) *Mar* 6, 1597
Amendt. to leave out "now," and add "upon this day six months" (*Viscount Cranbourne*), 1603; after long debate, Question, "That 'now,' &c.;" A. 219, N. 193; M. 26; Main question put, and agreed to.
Read 2°, and committed to a Select Committee; Instruction to the Committee to inquire into the operation and results of "The Metropolis Gas Act 1860" (*Mr. Crawford*); List of the Committee, 1613

London (City) Traffic Regulation Bill
c. Read 1° * *Feb* 16
Read 2° after debate *Feb* 22, 892, and committed to a Select Committee

"London," Loss of the
Question, Sir J. Pakington; Answer, Mr. M. Gibson *Feb* 9, 307; Question, Sir J. Pakington; Answer, Mr. M. Gibson *Feb* 15, 507; Question, Colonel Williams; Answer, Mr. Milner Gibson *Mar* 1, 1284; Question, Mr. Corry; Answer, Mr. M. Gibson *Mar* 5, 1497

Long, Mr. R. P., *Wiltshire, N.*
Cattle Diseases, Comm. *cl.* 11, 519

Lowe, Right Hon. R., *Calne*
Address in Answer to the Speech, 165
Cattle Diseases, 2R. 483; Comm. *cl.* 21, 568; *cl.* 31, 618
Devonport Election, 1296
Ireland—Queen's University and Queen's Colleges, 812, 968;—The Catholic University, 1615
New Palace Yard, Works in, 1522

Lyttelton, Lord
Cattle Plague, 806

Lyveden, Lord
Cattle Plague, Comm. *cl.* E, 1700

McLagan, Mr. P., *Linlithgowshire*
Cattle Diseases, Comm. *cl.* 11, Amendt. 653

McLaren, Mr. D., *Edinburgh*
Cattle Diseases, Consid. *add. cl.* 727
Cattle Plague, Comm. *add. cl.* 864; *cl.* 31, 931
Public Expenditure, Res. 1128

Maguire, Mr. J. F., *Cork City*
Address in Answer to the Speech, 240
Cattle Disease, 1805
Ireland—Court of Admiralty, 1390

Mainwaring, Mr. T., *Denbigh, &c.*
Habeas Corpus Suspension (Ireland) Act—Sitting on Sunday, 762

Malmesbury, Earl of
Art, Comm. *cl.* 3, 886, 887; Report, 956
Cattle Plague, 447
King of the Belgians, The late—Trust Estate of, 1389
Life Boats on the Coast, 586, 591, 592

Manners, Right Hon. Lord J. J. R., *Leicestershire, N.*
Cattle Diseases, Leave, 409; Comm. *cl.* 13, 546; *cl.* 15, 553, 599; *cl.* 21, 602; *cl.* 31, 623; *cl.* 33, 627; *cl.* 35, 629; *cl.* 50, 636
Devonport Election, 1313
Metropolitan Local Government, Comm. moved for, 1216

Manning, Dr.—Debate on the Address
Personal Explanation, Mr. Whalley *Feb* 17, 667

Mansfield, Earl of
Cattle Diseases, Comm. *cl.* 5, 740
Cattle Plague, 279

Marine Mutiny Bill
(*Mr. Dodson, Lord Clarence Paget, Mr. Childers*)
c. Ordered; read 1° * *Mar* 2
Read 2° * *Mar* 5
Committee; Report *Mar* 8, 1783
Read 3° * *Mar* 9

Marlborough, Duke of
Art, Comm. *cl.* 3, 885, 886; Preamble, Amendt. 887
Cattle Plague, 2R. 1184; Comm. *cl.* E, 1697; *add. cl.* 1703

MARLBOROUGH, Duke of—*cont.*
Cattle Plague, 437; Papers moved for, 505, 506, 806;—Orders in Council, 890
Ecclesiastical Commission—Conversion of Curacies into Rectories, 1495
Sheep, Small Pox in, 1179

Marriage with a Deceased Wife's Sister Bill (*Mr. Chambers, Mr. Hankey, Mr. Morley*)
c. Ordered; read 1° * *Mar* 6 [Bill 50]

MARSH, Mr. M. H., *Salisbury*
Address in Answer to the Speech, Report, 323
Cattle Diseases, Leave, 416; *cl.* 16, 562
Coffee, Duty on, 963
Public Expenditure, Res. 1112

MARTIN, Mr. P. Wykeham, *Rochester*
Cattle Diseases, Comm. *cl.* 14, 552
Cattle Plague, Comm. *cl.* 35, 855
Navy Estimates—Dockyard Salaries, 1857

MELVILLE, Viscount
Address in Answer to the Speech, 104
Cattle Diseases, Comm. *cl.* 5, 744; *cl.* 12, 751

Merchant Navy
Question, Mr. Hanbury Tracy; Answer, Mr. Milner Gibson *Feb* 26, 1097

Merchant Shipping Act (1854) Amendment Bill) (*Mr. Gibson, Lord C. Paget*)
c. Resolution in Committee; Ordered * *Feb* 23
Read 1° * *Mar* 9 [Bill 58]

Metalliferous Mines Bill
(*The Lord Kinnaird*)
l. Presented; read 1ª * *Feb* 20 (No. 21)

Meteorological Observations
Question, Colonel Sykes; Answer, Mr. Milner Gibson *Mar* 2, 1392

Metropolitan Jurisdictions, Conflicting
Observations, Lord Robert Montagu; Reply, Sir George Grey *Feb* 26, 1135

Metropolitan Local Government, &c.
Moved, "That a Select Committee be appointed to inquire into the Local Government and Local Taxation of the Metropolis" (*Mr. Ayrton*) *Feb* 27, 1203; after debate, Motion agreed to; Select Committee appointed; List of the Committee, 1218

Mid-London Railway Bill
c. Read 1° * *Feb* 23
Moved, "That the Bill be now read 2°" (*Mr. Harvey Lewis*) *Mar* 6, 1592
Amendt. to leave out "now," and add "upon this day six months" (*Earl Grosvenor*); Question, "That "now, &c.," put, and negatived; words added; main Question, as amended, agreed to; Bill put off for six months

MILL, Mr. J. Stuart, *Westminster*
Cattle Diseases, 2R. 488; Comm. *cl.* 31, 609, 620
Habeas Corpus Suspension (Ireland), Leave, 705

MILLER, Mr. S. B., *Armagh City*
Cattle Diseases (Ireland), Comm. *cl.* 10, Amendt. 1235, 1236, 1237
Ireland—Proclamation of the County of Louth, 815
Juries in Criminal Cases, 2R. 874

MILLER, Mr. T. J., *Colchester*
Thames Embankment (North Approaches), 2R. 1095

MILLER, Mr. W., *Leith*
Cattle Plague Commission, 1501

MILLS, Mr. J. Remington, *Wycombe* (*Chepping*)
Jamaica Government, 3R. 1268

MILTON, Viscount, *Yorkshire, W.R.—S.*
Cattle Diseases, Comm. *cl.* 15, Amendt. 554
Cattle Plague, Comm. *add. cl.* 863

Mines
Select Committee appointed, "To inquire into the operation of the Acts for the regulation and inspection of Mines, and into the complaints contained in Petitions from Miners of Great Britain with reference thereto, which were presented to the House during the last Session" (*Mr. Ayrton*) *Feb* 15, 583; Question, Mr. Clive; Answer, Sir George Grey *Feb* 23, 962; List of the Committee, 1695

Mines and Woods, Rating of
Question, Mr. S. Cave; Answer, Mr. Villiers; discussion thereon *Mar* 2, 1394

MITFORD, Mr. W. T., *Midhurst*
Cattle Diseases, Comm. *cl.* 29, 607
Cattle Plague, Comm. *cl.* 17, 786; *cl.* 27, 929

MOFFATT, Mr. G., *Southampton*
East India communications, Comm. moved for, 1230
Navy Estimates—Dockyard Salaries, 1877

MONK, Mr. C. J., *Gloucester*
Navy Estimates—Dockyard Salaries, 1870

MONSELL, Right Hon. W. (Paymaster of the Forces and Vice President of the Board of Trade), *Limerick Co.*
Speaker, Choice of a, 4

MONTAGU, Lord R., *Huntingdonshire*
Address in Answer to the Speech, 136
Cattle Diseases, Leave, 374, 414; Comm. *cl.* 13, 532; *cl.* 14, 550; *cl.* 15, 553; *cl.* 16, 557; *cl.* 50, Amendt. 634, 635, 636, 653, 901; *cl.* 11, 652

[*cont.*

MONTAGU, Lord R.—*cont.*
Cattle Diseases (Ireland), Comm. *cl.* 10, 1238
Cattle Plague, Comm. *cl.* 16, 779; *cl.* 35, 858
Devonport Election, 1304
Metropolitan Jurisdictions, Conflicting, 1135
Metropolitan Local Government, Comm. moved for, 1209

MONTROSE, Duke of
Cattle Diseases, 2R. 737; Comm. *cl.* 5, 742; —Orders in Council, 890
Cattle Plague, Comm. *add. cl.* 1704

MOORE, Mr. C., *Tipperary Co.*
Habeas Corpus Suspension (Ireland), Leave, 706

MORLEY, Earl of
Address in Answer to the Speech, 36

MORLEY, Mr. S., *Nottingham*
Church Rates Abolition, 2R. 1688

MORRIS, Mr. M., *Galway Bo.*
Army Estimates — Barrack Establishment, 1760, 1762

MOWBRAY, Rt. Hon. J. R., *Durham City*
Westminster School, 1804

Mutiny Bill
(*Mr. Dodson, The Marquess of Hartington, The Judge Advocate*)
c. Ordered; read 1°* *Mar* 6
Read 2°* *Mar* 7
Committee; Report *Mar* 9, 1880

NAAS, Right Hon. Lord, *Cockermouth*
Address in Answer to the Speech, 252
Army Estimates — Barrack Establishment, 1757, 1758, 1759
Cattle Diseases (Ireland), 2R. 1177; Comm. *cl.* 10, 1236, 1237; *cl.* 13, Amendt. 1238
Cattle Plague (Ireland), Papers moved for, 451, 1805

National Debt Reduction Bill
c. Considered in Committee*; Resolution agreed to *Feb* 8
Resolution reported; Bill ordered; read 1°* *Feb* 9 [Bill 4]
Read 2°* *Feb* 15
Committee*; Report *Feb* 19
Committee* (*on re-comm.*); Report *Feb* 26
Read 3°* *Feb* 27
l. Read 1ª * (*The Lord Stanley of Alderley*) *Mar* 2 (No. 32)

National Gallery, Director of the
Question, Viscount Courtenay; Answer, The Chancellor of the Exchequer *Feb* 9, 760

Navy
Engineers of the, Observations, Sir Edward Dering; Reply, Lord Clarence Paget *Mar* 9, 1840
Greenwich Hospital Estates, Question, Mr. H. B. Sheridan; Answer, Lord Clarence Paget *Feb* 20, 812
Masters in the, Observations, Sir Lawrence Palk; Reply, Lord Clarence Paget *Mar* 1, 1317

NEATE, Mr. C., *Oxford City*
Address in Answer to the Speech, Report, 331
Cattle Diseases, Comm. *cl.* 16, 557; *cl.* 48, 633; *cl.* 50, 636; *add. cl.* 656
Fellows of Colleges Declaration, 2R. 1262
Juries in Criminal Cases, 2R. 874
Marine Mutiny, Comm. *cl.* 39, 1785, 1786, 1787
Prince Alfred's Annuity, Comm. 1630, 1631

Neutrality Law, Inadequacy of our
Observations, Mr. Labouchere; Reply, The Attorney General; long discussion thereon *Feb* 23, 994

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, E.*
Cattle Diseases, 2R. 500

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Cattle Diseases, Leave, 402; Comm. *cl.* 13, 533, 545, 549; *cl.* 14, 552; *cl.* 7, 645
Cattle Plague, Comm. Preamble, 763; *cl.* 18, 795; *cl.* 35, Amendt. 858, 859; *cl.* 30, 950
Cattle Plague—The Commission, 312
Parliamentary Oaths, Leave, 456; 2R. 1712; Amendt. 1727
Qualification for Offices Abolition, Leave, 277; 2R. Amendt. 1240, 1255

New Forest Poor Relief Bill
(*Viscount Enfield, Mr. Villiers*)
c. Ordered; read 1°* *Mar* 8 [Bill 57]

New Members Sworn
Feb 26—Right Hon. George Joachim Goschen, *London*
Feb 27—Lord John Hay, *Ripon*
Mar 1—Richard Arkwright, esq., *Leominster*
The Earl of Brecknock, *Brecknock*
The Marquess of Hartington, *Lancaster County* (*Northern Division*)
Mar 5—Right Hon. William Monsell, *Limerick County*
Hon. George Denman, *Tiverton*
Mar 6—John Candlish, esq., *Sunderland*

New Palace Yard, Works in
Observations, Mr. Powell; Reply, Mr. Cowper *Mar* 5, 1520

Newspapers, Postage Stamp for
Question, Mr. Darby Griffith, 979; Answer, The Chancellor of the Exchequer *Feb* 23, 1036

New Writs issued
Feb 21—*For* Tiverton, *v.* Right Hon. Viscount Palmerston, deceased
For Brecknock, *v.* Colonel John Lloyd Vaughan Watkins, deceased
For Lancaster County (Northern Division), *v.* Right Hon. Marquess of Hartington, Secretary of State
For London, *v.* Right Hon. George Joachim Goschen, Chancellor of the Duchy of Lancaster
For Limerick County, *v.* Right Hon. William Monsell, Vice President of the Board of Trade
For Sunderland, *v.* Henry Fenwick, esq., Commissioner of the Admiralty
For Ripon, *v.* Right Hon. Sir Charles Wood, Baronet, Manor of Northstead
For Leominster, *v.* Gathorne Hardy, esq., who has elected to sit for the University of Oxford
Feb 26—*For* Richmond, *v.* Hon. John Charles Dundas, deceased.
Mar 6—*For* Kerry, *v.* Right Hon. Henry Arthur Herbert, deceased

NICOL, Mr. J. Dyce, *Kincardineshire*
Cattle Plague, Comm. *cl.* 17, 782, 1096
Poor Law (Scotland), 1708

NORMANBY, Marquess of
Address in Answer to the Speech, 27

NORTH, Colonel J. S., *Oxfordshire*
Army—Employment of Native Troops in China, 1805
Army Estimates—Land Forces, 1542, 1558;—Native Indian Troops, 1582, 1583;—Pay and Allowances, Adj. moved, 1586;—Commissariat, 1749;—Volunteer Corps, 1770
Cattle Diseases, Comm. *cl.* 10, 648; *cl.* 11, 649
Devonport Election, 1302
Fenianism in the Army, 310, 311, 312
Marine Mutiny, Comm. *cl.* 39, 1785, 1786

NORTHCOTE, Sir S. H., *Stamford*
Cattle Plague, Comm. *cl.* 16, 780; *cl.* 18, 794; *cl.* 28, 800, 801; *add. cl.* 954
Corn and Meat, Consumption of, 815
Customs' Clerks, Salaries of the, 1198
Exchequer and Audit Departments, 2R. 1370
Public Expenditure, Res. 1115

O'BEIRNE, Mr. J. S., *Cashel*
Army Estimates—Land Forces, 1570
Railway Bridges in the Metropolis, 1196

O'BRIEN, Sir P., *King's Co.*
Address in Answer to the Speech, 257
Ireland—King's County Return, 351

Obsolete Statutes
Question, Mr. Hadfield; Answer, The Attorney General *Mar* 9, 1808

O'CONOR DON, The, *Roscommon Co.*
International Maritime Law, Address moved, 1460

O'DONOGHUE, The, *Tralee*
Address in Answer to the Speech, Adj. moved, 187; Amendt. 195, 217, 273
Cattle Plague (Ireland), 509
Habeas Corpus Suspension (Ireland), Leave, 711, 720
Ireland—King's County Return, 351

OLIPHANT, Mr. L., *Stirling, &c.*
Army Estimates—Military Stores, 1777
Fenianism in America, 1046
International Maritime Law, Address moved, Adj. moved, 1479

O'LOGHLEN, Sir C. M., *Clare Co.*
Bank Notes, Leave, 848
Juries in Criminal Cases, 2R. 868, 879
Votes and Proceedings, 106

O'REILLY, Mr. M. W., *Longford Co.*
Army—Cavalry Horses, 1711
Army Estimates—Land Forces, 1551;—Native Indian Troops, 1583;—Pay and Allowances, 1586;—Clothing Establishments, 1753;—Disembodied Militia, 1767

OTWAY, Mr. A. J., *Chatham*
Fenianism in America, 1044
India—Expedition to Bhootan, 1198
Marine Mutiny, Comm. *cl.* 39, 1787
Mutiny, Comm. *cl.* 22, 1883
Navy—Engineers in the, 1845
Navy Estimates — Dockyard Salaries, Adj. moved, 1874, 1877

Outlawries Bill
Bill "for the more effectual preventing Clandestine Outlawries" read 1° * *Feb* 6

OVERSTONE, Lord
Art, 2R. 808; Comm. *cl.* 1, 885
Public Loan Acts, 594
Railway Companies' Borrowing Powers, 338

Oyster Fisheries, Deep Sea
Question, Mr. Stephen Cave; Answer, Mr. Milner Gibson *Feb* 23, 1023; discussion thereon

PACKE, Colonel G. H., *Lincolnshire, S.*
Cattle Diseases, Comm. *cl.* 21, 573

PACKE, Mr. C. W., *Leicestershire, S.*
Cattle Plague, Comm. *cl.* 30, 945

PAGET, Vice-Admiral Lord C. E. (Secretary of the Admiralty), *Sandwich*
Devonport Election, 1291, 1296, 1299, 1303; Explanation, 1505, 1513, 1808
Marine Mutiny, Comm. *cl.* 28, 1784
Navy Estimates—Men and Boys, 1142, 1161, 1162, 1169, 1173, 1330, 1332, 1335, 1336, 1338, 1350, 1351, 1352, 1358, 1366;—Coastguard Service, 1367;—Marine Divisions, 1368, 1779;—Admiralty Office, 1848;—Dockyard Salaries, 1852, 1853, 1877
Navy — Greenwich Hospital Estates, 813;—Masters in the, 1321;—Engineers in the, 1843, 1844

Pakington, Right Hon. Sir J. S., *Droitwich*
Address in Answer to the Speech, Adj. moved, 273, 274; Report, 312
Cattle Diseases, Comm. *cl.* 13, 542; *cl.* 31, Amendt. 613
Cattle Plague, Comm. *cl.* 18, 790
Devonport Election, 1287, 1306, 1507, 1808
Education—Committee of Council, 451
Jamaica Government, 450, Leave, 583; 2R. 918
"London," Loss of the, 307, 507, 508
Navy Estimates, 1142;—Men and Boys, 1146, 1149, 1157, 1173, 1327, 1343
Palmerston, Viscount, Monument to, Comm. Res. 917

Palk, Sir L., *Devonshire, S.*
Navy—Masters in the, 1317
New Palace Yard, Works in, 1525

Palmer, Sir R., *see* Attorney General The

Palmerston, Viscount, Monument to
Notice, The Chancellor of the Exchequer *Feb* 20, 818; considered in Committee, and an humble Address agreed to *Feb* 22, 910; Resolution reported, and agreed to *Feb* 23, 1059; Her Majesty's Answer to Address [23rd February] reported *Feb* 27, 1199

Parker, Major Windsor, *Suffolk, W.*
Cattle Plague, Comm. *cl.* 18, 790

Parliament, Houses of
The Approaches, Question, The Earl of Shrewsbury; Answer, Earl Granville *Mar* 6, 1591

Parliament, Meeting of the New
Parliament Opened by Commission *Feb* 1, 1
Choice of Mr. Speaker—The Right John Evelyn Denison unanimously called to the Chair *Feb* 1, 4;—*Presented and approved Feb* 2, 17;—*Illness of Mr. Speaker*—Mr. Dodson, the Chairman of the Committee of Ways and Means, sat as Deputy Speaker *Mar* 9, and on subsequent occasions
Session opened by The Queen in Person; The Lord Chancellor, taking direction from Her Majesty, delivered

Her Majesty's Most Gracious Speech *Feb* 6, 21

LORDS—
Address to Her Majesty in Answer to Her Most Gracious Speech, moved by The Marquess of Normanby (the Motion being seconded by The Earl of Morley) *Feb* 6, 27; after long debate, Motion agreed to
Her Majesty's Answer to the Address reported *Feb* 9, 278
Chairman of Committees—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 6, 105

COMMONS—
The Queen's Speech reported; Resolution for an humble Address thereon moved by Lord Frederick Cavendish (the Motion being seconded by Mr. Graham); after long debate, Debate adjourned *Feb* 6, 107; adjourned Debate on Resolution for an Address *Feb* 8, 195
Amendt. to leave out from "our," and add "deep regret to Her Majesty that wide-spread disaffection exists in Ireland, and humbly to represent to Her Majesty that this wide-spread disaffection is the result of grave causes, which it is the duty of Her Majesty's Ministers to examine into and remove" (*The O'Donoghue*); Question, "That the words, &c.;" after long debate, Amendt. withdrawn
Amendt. to add same words at the end of the paragraph (*The O'Donoghue*); Question, "That the words, &c.;" A. 25, N. 346; M. 321
Original Question agreed to; Committee appointed, to draw up an Address to be presented to Her Majesty upon the said Resolution; Report of Address brought up, and read; after long debate, agreed to; to be presented by Privy Councillors *Feb* 9, 312
Her Majesty's Answer to the Address reported *Feb* 12, 434
Votes and Proceedings of this House *Feb* 6, 106
Business of the House, Question, Mr. Darby Griffith; Answer, Sir George Grey *Feb* 9, 907
Committee of Selection—Committee of Selection nominated *Feb* 12, 342
Parliamentary Reform, Notice, Mr. Chancellor of the Exchequer *Mar* 1, 1286
Petitions, Public, Select Committee appointed and nominated *Feb* 12, 434

Parliamentary Oaths
Observations, Lord Ravensworth *Feb* 8, 188; Question, Sir Henry Barron; Answer, Mr. Disraeli *Mar* 9, 180

Parliamentary Oaths Bill
(*Sir G. Grey, Mr. Chancellor of the Exchequer*)
c. Acts read; considered in Committee; after long debate, Resolution agreed to; Bill ordered; read 1° *Feb* 13, 450 [Bill 13]
Moved, "That the Bill be now read 2°" (*Sir George Grey*) *Mar* 8, 1712; Amendt. to leave out "now," and add "upon this day six months" (*Mr. Newdegate*); after long debate, Question, "That 'now,' &c.;" A. 298, N. 5; M. 293; List of the Noes, 1736; main Question agreed to
Read 2° *Mar* 8

Parliamentary Reform—see *Representation of the People Bill*

Patten, Colonel, J. W., *Lancashire, N.*
Cattle Diseases, Comm. *cl.* 13, 539; *cl.* 33, 628
Cattle Plague, Comm. *cl.* 18, 796
Cattle Statistics, 761
Committee of Selection, 342, 343
Easter Recess, 1711
Mid-London Railway, 2R. 1595
Railways (Ireland) — Metropolitan Railway Schemes, 1018, 1285, 1286
Standing Order, No. 52, 1796

Peel, Right Hon. Sir R., *Tamworth*
Ireland—Queen's University and Queen's Colleges, 811, 812, 964, 965
Smoke Nuisance, 448, 1810, 1823
Tame Valley Viaduct, 868, 969

Peel, Right Hon. Lt.-Gen. J., *Huntingdon*
Army Estimates, 1525;—Land Forces, 1544, 1579;—Clothing Establishments, 1757;—Barrack Establishment, 1762;—Manufacturing Establishment, 1773, 1774

Peel, Mr. A. W., *Warwick*
Cattle Diseases, Comm. *cl.* 26, 606

Peel, Mr. J., *Tamworth*
Agricultural Statistics, 1504

Pennant, Colonel Hon. E. G. Douglas, *Carnarvonshire*
Cattle Diseases, Comm. *cl.* 43, 632
Cattle Plague, Comm. *cl.* 17, 784; *cl.* 35, 854, 859

Percy, Major-Gen., Lord H. H. M., *Northumberland, N.*
Army Estimates — Clothing Establishments, 1753;—Martial Law, 1763, 1764

Petit Juries (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered; read 1° * *Feb* 26 [Bill 41]

Peto, Sir S. M., *Bristol*
Navy Estimates—Men and Boys, Adj. moved, 1172, 1173, 1322;—Dockyard Salaries, 1875
Smoke Furnaces, 1824

Policemen in Plain Clothes
Question, Lord Henry Lennox; Answer Sir George Grey *Feb* 16, 597 (see *Ferguson, Mr., Case of*)

Polwarth, Lord
Cattle Diseases, Comm. *cl.* 5, 741; Orders in Council, 891
Cattle Plague, 437

Poor in the Metropolis
Question, Viscount Cranbourne; Answer, Mr. C. P. Villiers *Feb* 12, 345

Poor Law, Outdoor Relief
Question, Sir Percy Burrell; Answer, Mr. C. P. Villiers *Mar* 5, 1499

Poor Law (Scotland)
Question, Mr. Dyce Nicol; Answer, The Lord Advocate *Mar* 6, 1708

Postmaster General Bill
(*Mr. Darby Griffith, Mr. Hadfield*)
c. Ordered; read 1° * *Feb* 20 [Bill 25]

Post Office, Wages of Letter Carriers
Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *Feb* 23, 961

Potter, Mr. T. B., *Rochdale*
Address in Answer to the Speech, Report, 327

Powell, Mr. F. S., *Cambridge Bo.*
Cattle Plague, Comm. *cl.* 18, 791
Education—The Revised Code, 1393, 1394
New Palace Yard, Works in, 1520, 1524
Public Libraries' Act Amendment, Leave, 1234
Standing Order, No. 52, 1802

Powis, Earl of
Public Loan Acts, 592

Prince Alfred, Provision for
Message from The Queen *Feb* 20, 807
Ordered, That the said Message be taken into consideration on Thursday next; Her Majesty's Message considered; an humble Address of Thanks and Concurrence ordered *Nemine Dissentiente* to be presented to Her Majesty *Feb* 22, 891

Prince Alfred's Annuity Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Sir George Grey*)
c. Ordered * *Feb* 23; read 1° * *Feb* 27 [Bill 43]
Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *Feb* 28, 1269
Read 2° after short debate
Committee *; Report *Mar* 5
Committee; Report *Mar* 6, 1630
Read 3° * *Mar* 7
l. Read 1ª * (*The Lord President*) *Mar* 8 (No. 40)
Moved, "That the Bill be now read 2ª" *Mar* 9, 1791; on Question, agreed to; read 2ª

Princess Helena, Marriage of the, Message from the Queen
Ordered, That the said Message be taken into consideration on Thursday next *Feb* 20, 807
Her Majesty's Message considered; Address of Thanks and Concurrence ordered *Nemine Dissentiente* to be presented to Her Majesty *Feb* 22, 891

Princess Helena and Prince Alfred
Messages from Her Majesty considered in Committee; Resolutions agreed to *Feb* 22, 902
Messages from Her Majesty, Resolutions reported and agreed to *Feb* 23

Princess Helena's Annuity Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer Sir George Grey*)
c. Ordered * *Feb* 23; read 1° * *Feb* 27
Read 2° * *Feb* 28 [Bill 42]
Committee *; Report *Mar* 2
Read 3° * *Mar* 5
l. Read 1ª * (*The Lord President*) *Mar* 8 (No. 39)
Moved "That the Bill be now read 2ª" *Mar* 9, 1789
Read 2ª after short debate *Mar* 9

Printing
Select Committee appointed *Feb* 8, 277

Prisons Act, 1865
Question, The Earl of Carnarvon; Answer, Earl Russell *Feb* 13, 435; Address for Papers (*The Earl of Carnarvon*) 505; Motion agreed to (*Parl. P.* No. 28) *Feb* 15; Question, Mr. Hibbert; Answer, Sir George Grey *Mar* 1, 1282

Private Bills
Opposed, Committee of Selection appointed *Feb* 8, 193
Standing Order Committee appointed *Feb* 8, 193; *Feb* 12, 342
Orders thereon, Feb 8, 194
Standing Order, Standing Order No. 52 read; Amendt. To add at the end "and shall specify by a denoting mark against each name, which, if any, of the persons named in such book of reference as owners or reputed owners, lessees or reputed lessees, and occupiers, belonging to the labouring classes; and all weekly tenants and lodgers shall be deemed to belong to the labouring classes" (*Mr. Thomas Hughes*) *Mar* 9, 1792; Question, "That those words, &c.;" after debate, Amendt. withdrawn

Proby, Lord (Comptroller of the Household)
Address in Answer to the Speech—Her Majesty's Reply, 434

Prosecution Expenses Bill
(*Mr. Goldney, Mr. Goddard*)
c. Ordered; read 1° * *Feb* 20 [Bill 28]

Public Companies Bill
(*Mr. Darby Griffith, Mr. R. Torrens*)
c. Ordered; read 1° * *Feb* 23 [Bill 35]

Public Expenditure
Amendt. on Committee of Supply *Feb* 26, To leave out from "That" and add "the expenditure of the Government has of late years been excessive. That it was and is now 'taken in great measure out of the earnings of the People, and forms in no small degree a deduction from a scanty store which is necessary to secure to them a sufficiency, not of the comforts of life, but even of the prime necessaries of food, of clothing, of shelter, and of fuel'" (*Mr. White*) 1098; Question, "That the words, &c;" after long debate, Amendt. withdrawn

Public Libraries Act Amendment Bill
(*Mr. W. Ewart, Mr. Dunlop*)
c. Ordered; read 1° *Feb* 27, 1234 [Bill 44]

Public Loan Acts, Treasury Minute 1859
Observations, The Earl of Powis; Reply, Earl Russell *Feb* 16, 592

Public Offices (Site) Bill
(*Mr. Cowper, Mr. Childers*)
c. Ordered, after short debate; read 1° *Feb* 12, 433 [Bill 10]
Read 2° * *Feb* 23
Referred to Select Committee; Select Committee nominated *Mar* 1, 1375

Pugh, Mr. D., *Carmarthenshire*
Cattle Diseases, Comm. 511
Cattle Plague, Comm. *cl.* 17, 785

Qualification for Offices Abolition Bill
(*Mr. Hadfield, Sir M. Peto, Mr. Baines*)
c. Resolution in Committee; Ordered; read 1° * *Feb* 8 [Bill 1]
Moved, "That the Bill be now read 2°" (*Mr. Hadfield*) *Feb* 28, 1239
Amendt. to leave out "now," and add, "upon this day six months" (*Mr. Newdegate*); after long debate, Question, "That 'now,' &c.;" A. 176, N. 55; M. 121
Read 2° *Feb* 28
Division List, Ayes and Noes, 1255
Committee *; Report *Mar* 2
Read 3° * *Mar* 6
l. Read 1ª * (*The Lord Houghton*) *Mar* 8 (No. 41)

Queen's Bench Prison
Question, Mr. Thomson Hankey; Answer, The Attorney General *Mar* 5, 1499

Railway Bridges in the Metropolis
Question, Mr. O'Beirne; Answer, Mr. Milner Gibson *Feb* 27, 1196

Railway Companies' Borrowing Powers
Question, The Earl of Belmore; Answer, Earl Russell *Feb* 12, 335

Railway Debentures Registration
Question, Mr. Thomson Hankey; Answer, Mr. Milner Gibson *Feb* 19, 759

Railway Signals
Question, Sir W. Gallwey; Answer, Mr. Milner Gibson *Feb* 23, 969

Railway Travelling in Ireland Bill
(*Sir C. O'Loghlen, Major Gavin, Capt. Stacpoole*)
c. Ordered; read 1° * *Feb* 8 [Bill 2]

Railways Clauses Bill
(*Mr. Milner Gibson, Mr. Monsell*)
c. Ordered; read 1° * *Mar* 9 [Bill 60]

Railways (Guards and Passengers' Communication)
(*Mr. H. B. Sheridan, Mr. Hardcastle*)
c. Ordered *Feb* 27, 1199

Railways in the Metropolis
Question, The Earl of Carnarvon; Answer, Earl Russell *Mar* 1, 1275; Question, Colonel Wilson Patten; Answer, Mr. Milner Gibson *Mar* 1, 1286

Rating, Law of
Question, Mr. G. Hardy; Answer, Mr. Villiers; discussion thereon *Feb* 23, 980

RAVENSWORTH, Lord
Parliamentary Oaths, 188

READ, Mr. C. S., *Norfolk, E.*
Barley, Foreign, 1497
Cattle Statistics, 963

REARDEN, Mr. D. J., *Athlone*
Address in Answer to the Speech, 234
Marine Mutiny, Comm. *cl.* 39, 1786

REBOW, Mr. J. G., *Colchester*
Cattle Diseases, Leave, 408
Oyster Fisheries, Deep Sea, 976

REDESDALE, Lord, (Chairman of Committees)
Cattle Diseases, Orders in Council, 890
Railways in the Metropolis, 1280

Regent's Park
Question, Mr. Harvey Lewis; Answer, Mr. Cowper *Mar* 2, 1392
Ornamental Water in, Question, Mr. Harvey Lewis; Answer, Mr. Cowper *Mar* 1, 1283

Representation of the People—Parliamentary Reform
Questions, Mr. H. Berkeley, Viscount Cranbourne, Lord Elcho; Answer, Sir G. Grey *Feb* 9, 305; Questions, Mr. Craufurd; Answer, The Chancellor of the Exchequer *Mar* 5, 1503
Electoral Returns, Motion for Returns (*Lord Campbell*) *Feb* 27, 1187; after short debate, Motion withdrawn
Statistics, Question, Mr. Bouverie; Answer, Sir G. Grey *Feb* 26, 1098

RICHMOND, Duke of
Address in Answer to the Speech, 47
Cattle Diseases, Comm. *cl.* 12, 753
Cattle Plague, Comm. *cl.* E, Amendt. 1696
Sheep, Small Pox in, 1179

RIDLEY, Sir M. W., *Northumberland, N.*
Address in Answer to the Speech, 146
Army Estimates—Military Stores, 1777, 1778, 1779
Cattle-carrying Vessels, 1614
Cattle Plague, Comm. *add. cl.* 864
Qualification for Offices Abolition, 2R. 1251

Rochdale Vicarage Bill
(*Mr. Walpole, Mr. Bouverie*)
c. Ordered; read 1^{o} * *Feb* 23 [Bill 38]

ROEBUCK, Mr. J. A., *Sheffield*
Devonport Election, 1513
Habeas Corpus Suspension (Ireland), Leave, 677, 695
Ireland—Fishery Piers, 1391
London (City) Corporation Gas, 2R. 1610, 1613
Mid-London Railway, 2R. 1595
Neutrality Law, Inadequacy of our, 999, 1000

ROMILLY, Lord
Sale of Land by Auction, Comm. 881; *cl.* 8, Amendt. 884

ROMNEY, Earl of
Cattle Plague, 2R. 1186

RUSSELL, Earl (First Lord of the Treasury)
Address in Answer to the Speech, 101, 103
Art, Comm. Preamble, 887
British Museum, The, 341
Cattle Diseases, Comm. *cl.* 5, 743; *cl.* 10, 746
Cattle Plague—Day of Humiliation, 190;—Conference at St. James' Hall, 294, 295, 444
Electoral Returns, Returns moved for, 1187
Habeas Corpus Suspension (Ireland), 585; 2R. 658
Ireland—Pay of the Constabulary, 278, 279
King of the Belgians, The late—Trust Estate of, 1388, 1389
Prisons Act (1865), 436
Public Loan Acts, 594
Railway Companies' Borrowing Powers, 338
Railways in the Metropolis, 1279, 1281
Roman Catholic Church (Ireland), Returns moved for, 1070, 1071, 1077

RUSSELL, Colonel Sir C., *Berkshire*
Army Estimates—Land Forces, 1554;—Pay and Allowances, Amendt. 1583, 1584; Report, 1628, 1629;—Clothing Establishments, 1751;—Martial Law, 1764
Cattle Diseases, Leave, 418, 424
Cattle Plague, Comm. *add. cl.* 863, 864

RUTLAND, Duke of
Address in Answer to the Speech, 45

ST. AUBYN, Mr. J., *Cornwall, W.*
Cattle Diseases, Comm. *cl.* 11, 650

ST. LEONARDS, Lord
Sale of Land by Auction, 1R. 191; 2R. 435; Comm. 880; *cl.* 8, 884

Sale of Land by Auction Bill
(*Lord St. Leonards*)
l. Presented; read 1^{a} *Feb* 8, 191 (No. 2)
Moved, "That the Bill be now read 2^{a}" (*Lord St. Leonards*) *Feb* 13, 435
Read 2^{a} after short debate
Committee; after debate *Feb* 22, 880 (No. 2*a*)

SALISBURY, Marquess of
Cattle Plague, Papers moved for, 503

Salmon Fisheries (Scotland) Bill [H.L.]
(*The Lord Stanley of Alderley*)
l. Presented; read 1ª* *Mar* 8 (No. 42)

SALOMONS, Mr. Alderman D., *Greenwich*
Cattle Plague, Comm. *cl.* 16, 779; *add. cl.* 865
Savings Banks and Post Office Savings Banks, 2R. 580

SAMUDA, Mr. G. D'A., *Tavistock*
Navy Estimates—Men and Boys, 1163, 1355, 1356;—Dockyard Salaries, 1851, 1868

SAMUELSON, Mr. B., *Banbury*
Bank Charter Act, 448
Mines and Woods, Rating of, 1407

SANDFORD, Mr. G. M. W., *Maldon*
Army Estimates—Martial Law, 1764;—Volunteer Corps, 1769
Cattle Plague, Experiments on, 1315
Committee of Selection, 344
Egypt—The Suez Canal, 345
Epping Forest, 897
Neutrality Law, Inadequacy of our, 1002

Sat First
Feb 5—The Earl of Bradford, after the Death of his Father
The Marquess of Bristol, after the Death of his Father
The Duke of Newcastle, after the Death of his Father
The Lord Walsingham, after the Death of his Father

Savings Banks and Post Office Savings Bank Bill
(*Mr. Chancellor of the Exchequer, Mr. Childers*
c. Resolution in Committee* *Feb* 8
Resolution reported; after debate, agreed to
Ordered; read 1º* *Feb* 9, 335 [Bill 5]
Read 2º after short debate *Feb* 15, 578
Committee*; Report *Feb* 19
Considered* *Feb* 22
Committee* (*on re-comm.*); Report *Feb* 26
Read 3º* *Feb* 27
l. Read 1ª* (*The Lord Stanley of Alderley*) *Mar* 2 (No. 31)
Read 2ª* *Mar* 5
Committee*; Report *Mar* 6
Read 3ª* *Mar* 8
Royal Assent *Mar* 13 [29 *Vict.* c. 5]

Schools, Public
Question, Mr. Grant Duff; Answer, The Chancellor of the Exchequer *Feb* 23, 959

SCHREIBER, Mr. C., *Cheltenham*
Sewage of Towns, 508

SCLATER-BOOTH, Mr. G., *Hampshire, N.*
Army Estimates—Volunteer Corps, 1770
Cattle Diseases, 449
Cattle Plague, Comm. *cl.* 5, 775; *cl.* 10, 798; *cl.* 28, Amendt. 800; *add. cl.* 953
Supply—Civil Service Estimates, 1783

Scotland
Cattle Plague—Meeting of Scotch Members, Question, Lord Elcho; Answer, The Lord Advocate *Feb* 15, 510
Cattle Disease in, Motion for "Copy of a Memorial to the Privy Council from the Proprietors and Tenant Farmers of Kincardineshire" (*The Earl of Airlie*) *Feb* 27, 1188; after short debate, Motion agreed to (*Parl. P.* No. 35)
Dogs in, Observations, Mr. Ellice; Reply, The Chancellor of the Exchequer *Mar* 9, 1832
Education in, Question, Sir Andrew Agnew; Answer, The Lord Advocate *Mar* 5, 1499
Hypothec Law of, Question, Mr. Carnegie; Answer, The Lord Advocate *Feb* 9, 305
Poor Law, Question, Mr. Dyce Nicol; Answer, The Lord Advocate *Mar* 6, 1708
Union Chargeability Act, Extension of, Question, Mr. E. Craufurd; Answer, The Lord Advocate *Feb* 16, 596

"Scotland" Mutiny on Board the
Question, Mr. Graham; Answer, Mr. Milner Gibson *Mar* 5, 1504

SCOTT, Lord H. G., *Selkirkshire*
Cattle Diseases, Comm. *cl.* 5, Amendt. 513

SCOURFIELD, Mr. J. H., *Haverfordwest*
Cattle Plague, Comm. *cl.* 17, 781
Committee of Selection, 343
Navy—Masters in the, 1322
Standing Order, No. 52, 1800

Secretary of State for War, Patent of the
Question, Captain Vivian; Answer, The Marquess of Hartington *Mar* 5, 1514

SEELY, Mr. C., *Lincoln*
Customs' Clerks, Salaries of the, 1197
Navy Estimates — Men and Boys, 1361, 1366; —Dockyard Salaries, 1849

Select Vestries Bill
Read 1ª* *Feb* 6

SELWYN, Mr. C. J., *Cambridge University*
Devonport Election, 1314
Fellows of Colleges Declaration, 2R. 1264

Sewage of Towns
Question, Mr. Schreiber; Answer, Sir George Grey *Feb* 15, 508

Seymour, Rear-Adm., G. H., *Antrim Co.*
Navy Estimates—Men and Boys, 1171

Seymour, Mr. H. D., *Poole*
Army Estimates—Land Forces, 1571
Cattle Diseases, Comm. *cl.* 14, 551
National Gallery, Director of the, 761

Sheep, Diseases in
Question, Sir Jervoise Jervoise; Answer, Mr. H. A. Bruce *Feb* 22, 899;—*Small Pox among*, Questions, The Earl of Derby; Answer, Earl Granville *Feb* 20, 804; Questions, The Duke of Richmond; Answer, Earl Granville *Feb* 27, 1179

Sheridan, Mr. H. B., *Dudley*
Ferguson, Mr., Case of, Papers moved for, 1737, 1744, 1745
Navy—Greenwich Hospital Estates, 812, 813
Railways (Guards' and Passengers' communication), Leave, 1199

Sheriff Court Houses (Scotland) Act (1860) Amendment Bill
(*The Lord Advocate, Mr. Adam*)
c. Ordered * *Mar* 6

Sherriff, Mr. A. C., *Worcester City*
Cattle Diseases, Comm. *cl.* 48, Amendt. 634

Shrewsbury, Earl of
Houses of Parliament Approaches, 1591

Siam—Consulate at Bangkok
Question, Mr. Wyld; Answer, Mr. Layard *Mar* 6, 1616

Sidmouth, Viscount
Cattle Plague, 280

Simeon, Sir J., *Isle of Wight*
Cattle Diseases, Comm. *cl.* 7, 518, 643; *cl.* 21, 571
Cattle Plague, Comm. *cl.* 20, Amendt. 797

Smith, Mr. J. B., *Stockport*
Cattle Diseases, Comm. *cl.* 13, 532; *cl.* 31, 612, 616
India—The Budget, 1284, 1285

Smithfield Dead Meat Market
Question, Mr. M'Cullagh Torrens; Answer, Sir George Grey *Mar* 6, 1619

Smoke Furnaces
Observations, Sir Robert Peel; Reply, Sir G. Grey; long debate thereon *Mar* 9, 1810

Smoke Nuisance, The
Question, Sir Robert Peel; Answer, Sir George Grey *Feb* 13, 448

Solicitor General, The (Sir R. P. Collier), *Plymouth*
Cattle Diseases, Comm. *cl.* 13, 543
Devonport Election, 1299
Juries in Criminal Cases, 2R. 877
Special Jurors Summonses, 1617

Somerset, Duke of (First Lord of the Admiralty)
Devonport Election—Explanation, 1376, 1378
Life Boats on the Coast, 589

South Kensington and the British Museum
Question, Mr. C. Bentinck; Answer, The Chancellor of the Exchequer *Feb* 20, 814

Speaker, Mr.
Choice of, Right Hon. John Evelyn Denison unanimously called to the Chair *Feb* 1, 4;—*Presented and approved Feb* 2, 17;—*Illness of*, Mr. Dodson, the Chairman of the Committee of Ways and Means, sat as Deputy Speaker *Mar* 9, and on subsequent occasions

Speaker, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
Address in Answer to the Speech, 273
Cattle Diseases Act, 901
Devonport Election, 1302
Habeas Corpus Suspension (Ireland), Leave, 71
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Navy—Masters in the, 1320
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Parliamentary Reform, 1286
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Votes and Proceedings, 107

Special Jury Summonses
Questions, Mr. Whatman; Answer, The Solicitor General *Mar* 6, 1616

Spencer, Earl
Cattle Diseases, Comm. *cl.* 12, 750; *cl.* 14, 755
Cattle Plague, Comm. *cl.* E, 1701; *add. cl.* 1705
Cattle Plague, 281;—Conference at St. James' Hall, 295

Stanhope, Earl
British Museum, The, 342
Cattle Diseases (Ireland), 2R. 1495
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Sale of Land by Auction, Comm. *cl.* 8, 884

Stanhope, Mr. J. Banks-, *Lincolnshire, N.*
Address in Answer to the Speech, 125
Cattle Diseases, Leave, 422 ; Comm. *cl.* 13, 535
Cattle Plague, Comm. *cl.* 6, 776 ; *cl.* 16, 779 ; *cl.* 17, 782 ; *add. cl.* 866 ; *cl.* 30, 946
Cattle Plague, 1394

Stanley of Alderley, Lord (Postmaster General)
Art, 2R. 807, 808, 809; Comm. *cl.* 1, 884, 885 ; *cl.* 3, 887 ; Report, 956, 957
Cattle Diseases, Comm. *cl.* 12, 749
Life Boats on the Coast, 591

Stanley, Right Hon. Lord, *Lynn Regis*
Cattle Diseases, Comm. *cl.* 15, 553
India — Singapore — The Straits Settlements, 895
Indian Officers, Grievances of, 895
Japan—Exchange in, 1194
Mid-London Railway, 2R. 1593
Railways (Ireland) — Metropolitan Railway Schemes, 1016, 1021
Standing Order, No. 52, 1801

Stanley, Hon. W. Owen, *Beaumaris*
Cattle Diseases, Comm. *cl.* 16, 563 ; *cl.* 21, 572, 603 ; *cl.* 43, 631, 632
Cattle Plague, Comm. *cl.* 5, 775 ; *cl.* 16, 779 ; *cl.* 17, 785 ; *cl.* 29, 802
Cattle Plague Statistics, 898

Stansfeld, Mr. J. (Under Secretary of State for India), *Halifax*
India — Lahore Bishopric Bill, 811 ;—Expedition to Bhootan, 1199 ;—The Budget, 1285
Indian Officers, Grievances of, 895, 1615

Stone, Mr. W. H., *Portsmouth*
Cattle Diseases, Comm. *cl.* 44, Amendt. 633

Stratheden and Campbell, Lord
Cattle Plague, Papers moved for, 503
Electoral Returns—Returns moved for, 1187, 1188

Street Accidents (*Metropolis*)
Motion for Returns (*The Marquess of Westmeath*) ; Motion agreed to ; also, Motion for further Returns (*The Marquess of Westmeath*) *Feb* 26, 1085 ; Motion agreed to

Stuart, Colonel W., *Bedford*
Cattle Statistics, 762

Sullivan, Mr. E. (Solicitor General for Ireland), *Mallow*
Ireland—Proclamation of the County of Louth, 816

Superannuations (Officers Metropolitan Vestries and District Boards) Bill
(*Mr. Harvey Lewis, Mr. Chambers*)
c. Ordered ; read 1° * *Mar* 6 [Bill 52]

SUPPLY
Queen's Speech considered ; Motion, "That a Supply be granted to Her Majesty ;" Committee thereupon to-morrow *Feb* 12
Committee on Motion, That a Supply be granted to Her Majesty ;" Queen's Speech referred ; Motion considered *Feb* 13
Resolved, "That a Supply be granted to Her Majesty"
Resolution reported, and agreed to *Nem. Con. Feb* 14
Marriage Portion of the Princess Helena—Message referred ; considered in Committee *Feb* 23, 1056 ; after short debate, Resolution agreed to ; £30,000, Marriage Portion of Princess Helena
Considered in Committee ; Navy Estimates *Feb* 26—Statement of the Secretary of the Navy (*Lord Clarence Paget*) in moving Vote 1, 1142
Considered in Committee ; Navy Estimates *Mar* 1, 1322
Considered in Committee *Mar* 2 ;—Committee R.P.
Considered in Committee ; Army Estimates *Mar* 5—Statement of the Secretary of State for War on moving the First Resolution, 1531 ;—Resolutions reported and agreed to *Mar* 6, 1628
Considered in Committee ; Army Estimates —Civil Service Estimates (*on Account*) *Mar* 8, 1747
Considered in Committee ; Navy Estimates *Mar* 9, 1846

Surtees, Mr. H. E., *Hertfordshire*
Cattle Diseases, Comm. *cl.* 14, 552
Electric Telegraphs, Rating of, 1096

Swine, Disease among
Question, Sir John Walsh ; Answer, Mr. H. A. Bruce *Feb* 23, 960

Sykes, Colonel W. H., *Aberdeen City*
Army Estimates—Land Forces, 1560, 1580;—Commissariat, 1749 ; — Clothing Establishments, 1750, 1755 ; — Disembodied Militia, 1768 ; — Manufacturing Establishments, 1773
Cattle Diseases, Comm. 511 ; *cl.* 5, 514 ; *cl.* 13, Amendt. 531, 539 ; *cl.* 43, 632
Meteorological Observations, 1392
Navy Estimates—Men and Boys, 1362
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Synan, Mr. E. J., *Limerick Co.*
Address in Answer to the Speech, 231

Talbot de Malahide, Lord
Art, Comm. *cl.* 3, 886

Tame Valley Viaduct
Question, Sir Robert Peel ; Answer, Mr. Milner Gibson *Feb* 21, 868 ; Question, Sir Robert Peel ; Answer, Mr. Milner Gibson *Feb* 23, 969

Taunton, Lord
Art, 2R. 809; Comm. *cl.* 1, 884; *cl.* 3, 886; Report, 957
British Museum, The, 341
Cattle Plague, 806
Evidence, Law of, Amendment, 2R. 1492

Taylor, Mr. P. A., *Leicester*
Address in Answer to the Speech, Report, 332
Marine Mutiny, Comm. *cl.* 28, Amendt. 1783; *cl.* 39, Amendt. 1785, 1787
Mutiny, Comm. *cl.* 22, Amendt. 1881; *cl.* 26, Amendt. 1883

Telegraph Act Amendment Bill [H.L.]
(*The Lord Stanley of Alderley*)
l. Presented; read 1ª* *Feb* 17 (No. 13)
Read 2ª* *Feb* 19; Standing Orders dispensed with; Committee negatived; read 3ª*
c. Read 1°* *Feb* 19 [Bill 23]
Read 2°* *Feb* 20
Committee*; Report *Feb* 21
Read 3°* *Feb* 23
Royal Assent *Mar* 6 [29 *Vict.* c. 3]

Tests (University of Oxford) Bill
(*Mr. Coleridge, Mr. Grant Duff*)
c. Acts read; considered in Committee; Bill ordered; read 1°* *Feb* 13 [Bill 15]

Thames Embankment (North Approaches) Bill (by Order)
Read 1°* *Feb* 16
Moved, "That the Bill be read 2° upon Friday 16th March next" (*Mr. Tite*) *Feb* 26, 1086
Amendt. to leave out "Friday, &c." and add "this day six months" (*Mr. Beresford Hope*); Question, "That the words, &c.;" after debate, Amendt. withdrawn; main Question agreed to; Bill to be read 2° on 16th March

Thames Navigation
Question, Mr. Bathurst; Answer, Mr. Milner Gibson *Mar* 8, 1709

Thames Navigation Bill
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ERRATUM.

Page 1597, line 11, *for* put, and *negatived*, *read* put, and *agreed to.*

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